USING TECHNOLOGY INNOVATIONS TO STRENGTHEN THE DELIVERY SYSTEMS OF STATE JUSTICE COMMUNITIES

TECHNOLOGY INITIATIVE GRANT PROGRAM STATUS REPORT

Legal Services Corporation

BOARD OF DIRECTORS

USING TECHNOLOGY INNOVATIONS TO STRENGTHEN THE DELIVERY SYSTEMS OF STATE JUSTICE COMMUNITIES

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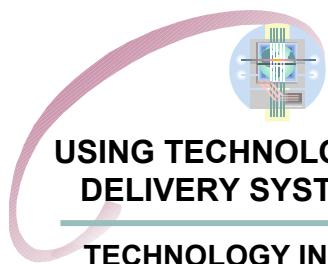
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EXECUTIVE SUMMARY

The Technology Initiative Grant program (TIG) emerged from the combination of a longstanding need and a new resource – the significant unmet need for civil legal services for low-income people and the communication and information capacities produced by the technological revolution. Most legal needs surveys indicate that no more than 20% of low-income people with civil legal problems are able to get help. In the last ten years, funding cuts and the growth of the poverty population have aggravated the problem. Information technology can be harnessed to address these problems. The unprecedented powers of the personal computer and of the World Wide Web can broaden the reach of the valuable work conducted by legal services practitioners. Attorneys can more easily take advantage of other attorneys' work and expertise. The products of that work and expertise can be made available to low income persons who have access to a telephone, to the Web or a kiosk.

First the legal services community and then the Legal Services Corporation recognized this potential. Some legal services workers built centralized telephone intake systems to give advice, brief service and meaningful referrals to persons in need who previously couldn't be served at all. Others built web sites to provide useful prevention and community legal services materials. Still others crafted tools that would allow low income persons to be introduced to their legal rights, to be informed of what they have to do to pursue them, and to produce pleadings to get them on their way.

LSC was impressed by these pioneering legal services grass roots efforts to take advantage of technology to build tools that can be of service to more people than can be reached one by one. LSC made technology one of its strategies, next to and supportive of state planning, to achieve its goals of increasing the quantity and quality of legal services provided to eligible persons and asked Congress for funding to explore the potential of these technologies.

Congressional funding for the Technology Initiative Grant (TIG) program provided LSC with a remarkable opportunity to explore these new ways to serve eligible persons and to help build grantees' capacities to fulfill this potential. It has supported projects to develop, test and replicate technologies that enable state justice communities to improve client access to high quality legal assistance in the full range of legal services. Many TIG projects have clearly demonstrated the major improvements different approaches can produce in state delivery systems. Others have indicated the untapped potential certain technologies possess. And,

as with any research and demonstration initiative, others have failed to achieve the hoped-for results.

TIG projects have developed, tested and replicated technologies that significantly improve clients' access to high quality legal assistance.

In funding TIG, Congress emphasized technological innovations that would improve services in the areas of pro se and client legal education. However, the program's impact has been even broader. Effective and efficient pro se and client legal education require a sound technological infrastructure, which is comprised of software, hardware, and personnel components. The infrastructure capacities required to markedly improve pro se and community education have the potential to directly and indirectly enhance the effectiveness and efficiency of programs' and states' entire delivery systems. The infrastructure, for example, assures that cases can be tracked and supervised more effectively. TIG projects have employed varying strategies to meet different programs' and states' particular infrastructure needs.

Given the capacities of the Internet, websites are among the most cost-effective ways to provide clients and those helping them – legal services advocates, volunteer lawyers, the courts and social service providers – with access to essential legal information and the ability to appropriately use that information. To ensure state justice communities have access to effective and efficient website capacities as economically as possible, TIG funded the development of two statewide website templates that states can adapt to meet their particular needs. Forty states are currently building websites using these templates.

When many low-income people contact LSC grantees for help with their legal matters, they know little about pro se options, their own rights and responsibilities, or other legal resources in the community. Effective intake and referral systems are required to identfy clients for whom pro se is an appropriate option, to provide them with the necessary resources to advocate on their own behalf, and to ensure that other clients also receive appropriate services. TIG grants have installed intake systems and case management systems necessary for intake systems to insure that LSC grantees have knowledge of the technologies that can most effectively accomplish these tasks, thus enabling many clients to obtain service that would otherwise be unavailable.

By providing grantees with essential knowledge and capacities in terms of infrastructure, websites, and intake and referral, TIG grants endowed state justice communities with the necessary prerequisites to significantly increase the effectiveness and efficiency of pro se and community legal education services. Grants have supported a range of pro se experiments from those designed to operate by themselves for low income persons with low written language and computer skills to those that are designed to be used along side volunteers, social services and court providers.

TIG grants have also supported the establishment of new training and technical assistance capacities. These will enable LSC grantees to improve their use of available and emerging technologies and significantly increase the ability of program managers and advocates to maintain and upgrade their knowledge and skills.

The program's overall record to date has validated key aspects of LSC's TIG strategy. Pilot projects provide invaluable lessons on what can work in different settings or for different communities. Templates can yield significant cost efficiencies without sacrificing operational effectiveness. TIG grants fostered new or strengthened existing stronger partnerships in states and have helped mobilize significant additional resources for technology innovations. And TIG projects have helped strengthen state planning initiatives, and *vice versa*.

Our experiences also have highlighted several ways the program can be improved. LSC is now moving to establish clearer and more concrete goals, to more rigorously monitor program performance, and, where necessary, to make appropriate adjustments. Also, grantees will benefit greatly from the availability of comprehensive evaluation mechanisms that are being designed as program improvement tools for technology systems. Finally, increased, ongoing training and technical assistance is needed to improve the ability of LSC grantees and state justice communities more broadly to capitalize fully on technologies that can improve service delivery.

> *TIG projects demonstrate how automated pro se, centralized intake and websites improve state justice community delivery systems.*

TIG's future directions are informed by the lessons learned to date. For example, TIG 2002 projects will build on and extend sucessful systems or develop new innovations. Existing technical assistance capacities will be retained and new ones developed. Grantees will receive specialized, comprehensive evaluation tools. And to increase LSC grantees' knowledge of program developments and lessons, LSC will develop new systems to generate and expeditiously disseminate more in-depth specific information about the program and individual projects. Several TIG-funded projects will play the central role in organizing and disseminating this information.

I.   INTRODUCTION

The Technology Initiative Grant (TIG) program provides a significant tool for helping to achieve the Legal Services Corporation's Strategic Goals: dramatically increasing the quantity and quality of legal services provided eligible persons.[1]

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[1] See *LSC Strategic Directions 2000-2005*, adopted by the LSC board in January 2000.

Consistent with LSC's goals, TIG seeks to use technology[2] innovations to strengthen the capacities of state justice communities rather than just those of particular programs. The program has prioritized initiatives focused on identifying technology approaches that will enable state justice communities to develop more innovative and integrated service delivery systems that respond cost-effectively to the particular challenges they confront.

Within this context, TIG pilot initiatives are developing and assessing innovative uses of existing and emerging technologies to strengthen the full range of client services: pro se; intake, advice and brief service; referral; and full representation. They are linking clients, legal services advocates, bar associations, the courts, and social service providers, thus ensuring that these groups have ready access to expanded state and national legal databases and training resources. In concert with efforts undertaken by others at the national and state levels,[3] TIG promises to significantly improve the effectiveness of the nation's civil legal justice system for low-income people.

To help achieve LSC's goals of dramatically increasing both the quality and quantity of legal services provided clients, TIG supports tech-nology innovations that strengthen the capacities of state justice communities, not just individual programs.

This report summarizes the TIG program's grantmaking and accomplishments to date.[4] The first section reviews the program's goals. The second provides summary data about the range of projects funded through TIG. The third section describes specific initiatives that use technological innovations to strengthen the capacities of state justice communities. Next, the report surveys the broad impact of TIG and discusses general lessons about the management of individual projects. The fifth discusses future program directions, including notable projects that will soon be initiated. The final section provides a brief conclusion.

The report's appendices supply detailed information about different aspects of the TIG program. Appendix I analyzes what may be the major challenge that the equal justice community must address to ensure its technology investments yield appropriate returns: the barriers to clients' access and ability to take advantage of new technologies. It also profiles initiatives TIG grantees and others are implementing to address this challenge. Appendix II highlights the distribution of

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[2] Because "technology" can denote such a variety of tools and concepts its meaning is often vague and imprecise. In this document "technology" refers to computer and Internet-based (and related) electronic communication and data compilation and manipulation systems.

[3] Especially noteworthy is the work of the Project for the Future of Equal Justice spearheaded by Julia Gordon. This work is summarized in Julia Gordon, *Equal Justice and the Digital Revolution. Using Technology to Meet the Legal Needs of Low-Income People*, Project for the Future of Equal Justice (a collaborative project of the Center for Law and Social Policy and the National Legal Aid and Defender Association, with major funding support from Open Society Institute), November 2002.

[4] Specific information about individual TIG projects can be obtained by TIG grant number on LSC's grantee database, www.rin.lsc.gov, and the LStech web portal, www.lstech.org. The grant numbers of all projects profiled in this report are provided in the text.

TIG funding among different programmatic categories in FY2000, FY2001 and FY2002. Appendix III provides brief descriptions of all TIG projects funded in 2001.[5] And Appendix IV discusses the major reasons unsuccessful applications were not funded.

II. TIG PROGRAM GOALS

In encouraging the use of technology to strengthen the delivery system capacities of state justice communities, TIG pursues three strategic objectives.

- ***Supporting the development, testing and replication of innovative projects that will improve client access to high quality legal assistance across the full range of legal services.*** These projects concentrate on pro se, community legal education, intake systems with advice and brief service, remote office projects, and the development of technology infrastructures needed to implement these new initiatives.

- ***Supporting state planning efforts.*** TIG aims to ensure that innovation and strengthening of technological capacities bolster the LSC State Planning Initiative. In particular, TIG projects have demonstrated that program integration and coordination can facilitate more effective use of technology, and vice-versa. They have fostered valuable information sharing about successful technology applications and the challenges to implementing them. And they have helped identify and provide access to necessary technical assistance.

- ***Mobilizing resources.*** The TIG program seeks to identify and develop systems that maximize the returns from the investment of limited resources. By providing programs with templates for websites and other systems TIG has markedly reduced the overall costs associated with developing new systems. TIG funding enables programs to leverage additional financial and in-kind support. And bulk purchasing reduces programs' expenses for goods and services.

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[5] 2000 TIG grants are summarized in Legal Services Corporation, *Technology Initiative Grants 2000*, Washington, D.C. This is available on the LSC website at: http://www.lscopp.com/Techsite/Linkpages/TIG%202000%20Grant%20Descriptions.pdf.

III.   SPECIFIC TIG INITIATIVES THAT IMPROVE AND INCREASE CLIENT SERVICES

Congressional appropriations for TIG totaled $4.25 million in FY200, increased to $7 million in FY2001, and then declined to $4.5 million in FY2002 (see figure 1).

Within the parameters set by Congressional intent, LSC funded TIG projects that enhanced grantees' capacities in several interrelated and mutually reinforcing program areas. TIG initiatives have developed, adapted and assessed various technological systems that enable state justice communities to cost-effectively increase the quality and quantity of services provided to eligible clients. Together, these initiatives have identified systems with the potential to improve services at each of the major stages of low-income clients' engagement with the civil legal justice system: from initial contact and screening and pro se to brief advice, counsel and referral and full representation.

**Figure 1
Technology Initiative Grant
Funding**
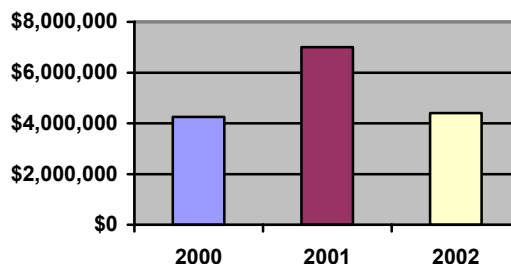
While nearly all individual grants hold promise to improve programs' efficiency and effectiveness in multiple areas, most concentrate on particular aspects of grantees' delivery systems. TIG grants have fallen primarily into one of the major categories.[6]

- Some projects have developed and assessed the effectiveness of templates for *statewide websites*, which are the backbone of state justice communities' technological capacities and are essential to expand access to and the quality of the full range of client services.

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[6] Given the multiple impacts of most TIG grants, placing some grants in one category rather than another inevitably require some degree of arbitrariness. Further, the categories used in this report differ from those listed in the RFPs published by LSC. For example, the 2002 RFP categories were "Innovation," "Integration," "Statewide Websites," "Statewide Technology," and "National Technology." Staff concluded that the RFP categories provided far less insight into the TIG program's focus and impact than do the categories based on projects' relationships to grantees' services delivery systems. The only RFP category retained here is "Statewide Websites." A major problem with the RFP categories is that they are less concrete than the alternate categories used here. The RFP categories are further limited because they are defined by characteristics – e.g., innovation, integration – that should be fundamental features of *all* TIG projects. Similarly, a host of TIG projects have national implications even though they are not funded through the "national" category.

- Some pilot technologies that enhance clients' ability to represent themselves while simultaneously reducing the backlogs *pro se* can cause courts.

- Some examine systems to improve programs' *intake and referral systems*.

- Some identify and provide the technological *infrastructures* integral to the successful implementation of innovative pro se and other client services systems.

- Finally, some develop and support *training and technical assistance* capacities essential to the success of TIG projects.

  Notable examples of initiatives in different funding categories are highlighted below. We should emphasize that many other TIG projects have achieved impressive results and could have been included here. Space limitations rather than project shortcomings account for their absence.

Templates for Statewide Websites

Websites have the potential to provide services for clients who would not otherwise receive assistance.[7] To a significant degree websites are an essential foundation of effective technological capacities for state justice communities. They are the most efficient mechanisms to provide clients

Websites are very efficient mechanisms for providing clients with ready information about and access to state legal systems.

and all other state justice community members – legal services programs, the courts, bar groups, other legal services organizations, and social services providers – with ready information about and access to the state legal system. As a main gateway for clients and advocates, websites comprise a cost-effective framework on which additional pro se, community education, advocacy and related tools and services can be grafted as they are developed. To ensure that cost-effective website capacities are available to all LSC grantees, TIG funded the development of two website templates and provided support for states to adapt and implement the template that best meets their particular needs.

- *Ohio State Legal Services Association* developed a statewide website that demonstrated the effectiveness of the **Kaivo website template**. The website provides a centralized source of information for the public as well as customized, interactive features to meet the needs of clients, legal services advocates, court personnel, social service agencies, and other members of the state justice community. *Grant number 00002*. Contact: Elizabeth Kowalczyk, Technology Coordinator, bkowalczyk@oslsa.org, (614) 221-7201 ext.130, http://www.oslsa.org/OSLSA/PublicWeb.

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[7] Appendix II includes a list of state websites funded through the TIG program.

- *Legal Services for New York City* (LSNY) and *Southern Minnesota Regional Legal Services* (SMRLS) developed complementary components for websites using the **LawHelp – ProBono.Net website template**. LSNY honed the LawHelp.org information and referral system, which prioritizes pro se and related client self-help advocacy. It improves pro se resources for eligible clients and enables clients, courts, community groups and legal services providers to conduct targeted searches by zip code, substantive issues and eligibility criteria. SMRLS developed the ProBono.net system, which concentrates on the needs of volunteer attorneys and legal services advocates. It contains a central portal that provides attorneys, low-income people, and social services agencies with access to essential legal information and services. State justice communities can combine aspects of the LSNY and SMRLS systems to develop statewide website capacities that best meet the particular needs of the state. *Grant numbers 00008 and 00013*. Contacts: Andrew Scherer, LSNY, (212) 431-7200, ascherer@legalsupport.org, www.lawhelp.org/ny, www.probono.net/NY; Jaya Shoffner (651) 228-9105, x111, jshoffner@mnlegalservices.org, www.mnlegalservices.org.

> *TIG funded the development of two website templates. Forty states are using these to build websites that meet their particular needs.*

There is one major difference between the Kaivo and ProBono.Net templates. States can run the Kaivo website on their own server and therefore require far more in-house expertise to design and maintain the site. This gives states more flexibility to tailor websites to meet their particular needs, but increases their financial costs. In contrast, the ProBono.Net websites are all housed on a server at a central location following a nonprofit ASP[8] type model. This template requires relatively little in-house staffing to develop and maintain the site, thus lowering its costs. While it affords less flexibility for an individual state to modify the system to address its own needs, it is designed to ensure that enhancements can be readily transferred to and adopted by user states. State planners must weigh the relative costs and benefits of this staffing/flexibility trade-off in making their website template selection.[9]

The **value of the website template approach** has been validated by the experiences of the **40** states that have developed, or are now developing, their websites using one of the two TIG-supported websites. Additional validation was provided by the experience of *Legal Services of North Texas* (LSNT), which received an early TIG grant to develop an independent state website. This task proved more challenging and expensive than the program had anticipated. LSNT then opted to implement the ProBono.Net template, which

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[8] ASP systems use software provided through an "Application Service Provider." A user does not need to have the software on her/his desktop. Instead, they access it remotely via the Internet. This can markedly reduce programs' hardware and software capital investments.

[9] Currently, 25 states use the ProBonoNet template, while 15 states use the Kaivo template. TIG has funded an additional 4 state websites.

planners believe will meet the state's needs effectively and efficiently. *Grant number 01057*. Contact: Jonathan Vickery, Executive Director, (214) 748-1234, jonathanv@lsnt.org.

- The *Northwest Justice Project's* use of the ProBono.Net Template to expand the capacities of the state's existing website demonstrates the value of having a website serve as the foundation of the technology component of the state delivery system. The project will build an integrated, comprehensive statewide web-accessed advocates' resource center. The site will strengthen the ability of a broad range of advocates (from staff-based programs, volunteer lawyers and law students) to better assist pro se clients by providing ready access to a wide range of resources and tools. These resources will also enable advocates to improve the quality of other types of representation provided eligible clients. *Grant number 01085*. Contact: Susan Encherman, (206) 464-1519, ext.250, suee@nwjustice.org, www.nwjustice.org.

  While all of the TIG-funded state websites seem successful in strengthening the technological capacities of state justice communities, two projects exemplify the creative staffing strategies many states have employed.

- The state website created by *Georgia Legal Services* and *Atlanta Legal Aid* has made available to clients, legal services advocates and other members of Georgia's equal justice community substantial community legal education, pro se and other legal resources. The **website's readability and content have been strengthened by the assistance of the publisher of a high school textbook for law-related education**. The publisher donated selected excerpts of the textbook that GLSP and ALAS thought would be especially helpful to clients, advocates, volunteer attorneys and social services providers, as well as to the general public. *Grant number 01017*. Contact: Tracy Roberts, Web Content Coordinator, (404) 206-5376, tmroberts@atlantalegalaid.org, www.legalaid.org.

- Collaborating with several stakeholders in the state's equal justice system, *Montana Legal Services Association* (MLSA) is creating a state website for use by clients, advocates, pro bono lawyers and social services providers. The TIG grant facilitated MLSA's partnership with the Montana State Bar Association to develop a state equal justice website and thus increase access to legal information for all Montanans. **The state bar provides impressive support for the initiative**. It contributes office space and computer equipment for the website coordinator and technical assistance for web design and content development; designs and produces promotional materials; and conducts publicity activities for the initiative. *Grant number 01050*. Contact: Alison Paul, Technology Coordinator, (406) 442-9830, Alisonpaul@copper.net, www.montanalegalservices.com.

  Another website project is addressing a critical challenge confronting TIG grantees and other legal services providers: minimizing the literacy, language

and related barriers that limit clients' ability to take advantage of new technologies.

- Through a grant to *Land of Lincoln Legal Services*, the Illinois LSC-funded programs are building the statewide infrastructure and new web tools to produce, use and distribute the **3D Multimedia Manual**. The **manual will contain detailed guidance on how to build a website that provides content in multimedia formats, including text, audio, video and animation**. The website will provide extensive, integrated educational, training and practice material for the pro se litigant, pro bono and consumer communities. The project will build on multimedia efforts in California and automated document production efforts in multiple states to unify the range of tools needed to avoid, prosecute or defend actions typically faced by low-income individuals. Based on the results of the current Illinois legal needs study, the first three content areas will be landlord-tenant, family law, and public benefits. *Grant number 01033*. Contact: Linda Zazove, 618-462-0036, lzazove@lollaf.org.

Intake, Brief Service and Referral

Over the last several years, state justice communities have implemented a variety of new intake systems, especially "centralized intake" and "hotlines" that provided different amounts of legal assistance and referral services.[10] These systems hold promise to provide services to persons who do not access other service delivery mechanisms. They typically require programs (and clients) to use electronic technologies in new

> *TIG is funding the refinement and diffusion of centralized intake and brief service systems because they can provide significant service to those who were not previously served.*

ways. TIG has funded several projects that explore ways that innovative or expanded uses of available technologies can expand the scope and effectiveness of state justice communities' intake and referral systems. Noteworthy examples include the following.

- Building on earlier TIG infrastructure funding (see below), *Legal Aid Society of Hawai'i* (LASH) is spearheading a partnership of nine organizations to develop an **integrated intake and referral system linking providers of legal services, social services and economic development assistance throughout the state.** By linking partner organizations, LASH's website is expanding and streamlining initial intake and referral while facilitating the exchange of information about consenting clients among partner organizations and protecting sensitive information to respect clients' confidentiality rights. The

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[10] For a comprehensive recent assessment of the effectiveness of hotlines in meeting clients' legal needs, see Jessica Pearson and Lanae Davis, *The Hotline Outcomes Assessment Study. Final report – Phase III: Full Scale Telephone Survey*. Center for Policy Research, Denver, November 2002. This analysis was prepared for the Project for the Future of Equal Justice.

website contains an extensive collection of interactive training materials and client tutorials (in audio, video, and manual formats) in legal, economic development, and social service matters. The videoconferencing services will increase clients' access to pro se clinics and community education; provide neighborhood-based individual counseling for clients; increase coordination of partners' services; and enable partners to conduct cross training of staff and increase collaborations. *Grant number 01049*. Contact: Bill Yarian, Technology Coordinator, (808) 536-4302, biyaria@lashaw.org, www.legalaidhawaii.org.

- As part of the transition to a single statewide program, *Legal Aid of North Carolina* (LSNC) needed to develop and implement an effective statewide screening, intake and referral system. To accomplish this, LANC required a case management system that connected legal services offices, law schools and pro bono attorneys with each other and with clients, social service agencies and funders. LANC's pilot project demonstrated the feasibility of **adapting and using a case management system readily available from a private vendor**. Because of the initiative's success, Connecticut is replicating this system to strengthen the effectiveness of its state justice community. *Grant number 00035*. Contact: Dock Kornegay, (919) 856-2120, dockk@lsnc.org.

- A *Pine Tree Legal Assistance* (PTLA) project seeks remedies to a major challenge confronting many states: how to provide access to populations sparsely dispersed in expansive, remote areas. The program **forged a partnership with a statewide Telemedicine service to provide intake and assistance, American Sign Language (ASL) interpretation, and limited pro bono services via teleconferencing at three legal services locations**. This project is an excellent example of a creative partnership based on looking beyond the usual partners to develop access points for clients. Moreover, it holds great promise for markedly expanding and improving intake and brief services within Maine and elsewhere. For example, this approach can be expanded to additional legal services sites and some 100 existing Telemedicine sites throughout Maine. Similar systems exist in other states that offer opportunities for valuable partnerships and piggybacking of services. *Grant number 01019*. Contact: Hugh Calkins, hcalkins@ptla.org, (207) 774-4753, x209, www.ptla.org.

- *Virginia Legal Aid Society* (VLAS) and *Center for Arkansas Legal Services* (CALS) implemented pilot projects to address a challenge common to many states with multiple programs: establishing a centralized intake system with a single toll free number that clients throughout the state can call, thereby providing them with a seamless

> *Innovative uses of technology in intake and referral systems enhance partnerships and information exchange among legal services providers, social services agencies and other members of state justice communities.*

transition between intake and other services. **The VLAS and CALS projects are evaluating centralized intake systems that do not rely on a central intake staff. Instead, calls to the statewide hotline are automatically routed to the program that serves the caller's geographic area.** Additionally, participating programs are assessing a uniform case management system; this further enhances the project's promise. The Virginia system uses ASP software (see footnote 6). Initial analyses indicate these pilots may be very effective. *Grant numbers 01001 and 01016.* Contacts: Kelly Shuptrine, VLAS Technology Contact, kelly@vlas.org; L. Richardson, CALS Technology Coordinator, lrichardson@arlegalaid.org.

Pro Se (Self Help)

Expanded and innovative use of available electronic technologies can readily provide clients with the information and tools to significantly increase their ability to represent themselves effectively on their legal matters. TIG pilot projects have sought to develop and assess more effective ways to equip clients with the necessary

> *TIG pro se initiatives explore various approaches to provide clients the necessary tools to effectively protect their legal interests.*

tools and support to protect their legal interests while increasing the efficiency of the courts. Notable examples of these projects include the following.

- The "Computers That Speak of the Law" project, implemented by *DNA - People's Legal Services, Inc.*, seeks to identify methods to **provide community legal education, pro se and related information to a culturally diverse client population residing in remote, rural areas.** This challenge was intensified by three factors. First, many of the program's Navajo and Hopi clients have limited proficiency in English. Second, these clients' communication practices are grounded in an oral tradition, not written language. And third, existing wiring and cable systems do not reach large segments of the client population.

  To address these challenges, the project uses satellite connections and touch-screen kiosk technologies to orally deliver culturally appropriate community legal education and social service resource information to the Navajo and Hopi communities. The project has demonstrated that satellite connections are effective approaches in geographic areas where cable systems are absent or underdeveloped. The program is assessing the kiosks' effectiveness in providing oral culturally responsive information in native languages via the Internet. *Grant number 00060.* Contact: Chris O'Shea-Heydinger, 505-334-9869, chriso@dnalegalservices.org.

- Pro se litigants in Montana confront a problem shared by their counterparts in states where residents are sparsely dispersed in expansive rural areas. Necessary assistance to help them pursue or protect their legal rights is located far away. A pilot project undertaken by *Montana Legal Services Association*

is exploring the efficacy of **using video-conferencing to provide assistance to pro se litigants in courts in remote areas of the state**. This cooperative project with the University of Montana Law School, the Montana Supreme Court, and a state district court is assessing the impact on clients and the courts of providing brief advice and counsel via video-conferencing to clients who have had the opportunity to review pro se materials at the court and/or via the state website. This assistance will include an assessment of the merits of the client's case as well as advice on the issues clients should stress and the line of argument they should follow. The initiative holds great promise, especially since MLSA has already demonstrated the efficacy of providing direct representation via video-conferencing. *Grant number 01014.* Contact: Alison Paul, Technology Coordinator, (406) 442-9830, alison@copper.net, www.montanalegalservices.com

- *Ohio State Legal Services Association's* Domestic Violence Computer Pilot Project (DVCPP) uses a **web-based court preparation and tutorial system to increase pro se resources for domestic violence victims**. By providing domestic violence victims and the lay advocates and shelter staff that assist them with online pro se assistance, educational resources and access to court forms, this project increases domestic violence victims' access to essential resources and strengthens their capacity to successfully navigate the legal system. It holds promise not just for the critical assistance it affords domestic violence victims. It also provides a model that can be adapted to provide pro se resources and assistance in other substantive law areas. *Grant number 00026.* Contact: Elizabeth Kowalczyk, Technology Coordinator, bkowalczyk@oslsa.org, (614) 221-7201ext.130, www.oslsa.org/OSLSA/PublicWeb.

> *Videoconferencing, web-based systems, and touch-screen kiosks offer pro se litigants with a range of services, including: on-line tutorials; oral and video guidance that provide information and formatted legal documents; expanded services to residents in remote rural areas; and "unbundled" assistance from volunteer lawyers to develop and file court documents.*

- *Legal Aid Society of Orange County's* (LASOC) Interactive Community Assistance Network (I-CAN) **provides clients with ready access to pro se resources on a variety of legal matters through a kiosk and web-based system**. The system features videos of speakers (in English, Spanish and Vietnamese, so far) guiding users through each step of the process. By touching options provided by a "video guide" on a computer screen, users can obtain properly formatted pleadings, tour the courts and learn about pertinent laws and steps needed to address their particular legal matter. I-CAN! provides information and formatted legal documents for civil matters such as domestic violence restraining orders, small claims matters, unlawful detainer answers, and complaints and answers in paternity actions. Reading and writing skills are not needed to complete the process. Because of ICAN!'s

major success in Orange County, five additional service areas in California are implementing it, additional California programs are considering its adoption, and the administrative office of the State Supreme Court is considering implementing the program throughout the state. Further, Oklahoma Legal Services has received a FY2002 TIG grant (*grant number 020608*) to conduct a pilot project testing ICAN! in Tulsa. Also, the Bristol, MA, court is implementing the program.

In addition to demonstrating the effectiveness of the kiosk and web-based approach and the value of partnerships with the courts, ICAN! highlights the critical importance of on-going evaluation. Evaluation was conducted as an integral project component from ICAN!'s inception, enabling LASOC to identify and respond to design or implementation problems in a timely fashion. LASOC tested three different software approaches (developed by three different software design groups) before it identified the one that worked most effectively. *Grant number 00005*. Also see *grant number 01063*. Contact: Bob Cohen, Executive Director, LASOC, (714) 571-5232, ican@legal-aid.com, www.legal-aid.com/I-CAN/ican.html.

- A *Utah Legal Services, Inc.* (ULS) project enables volunteer lawyers to provide **unbundled services to pro se litigants on divorce matters**. The project uses web-based systems to employ volunteer attorneys to provide pro se clients with assistance in developing and filing divorce documents. Clients obtain legal documents and filing information from ULS's regular website. After clients fill out the pleading forms, the documents are transferred to a specialized website. Volunteer attorneys in rotation are notified via email that pleadings are available for review. Then, on the website, they check for conflicts of interest and review and suggest necessary changes to the documents prepared by the clients. After receiving the attorneys' comments, clients can make necessary changes and then download the pleadings for printing and filing with the court. Clients and the volunteer attorneys can communicate via the website or by other means. The project's success indicates that this approach for using pro bono attorneys to provide unbundled legal services can be adapted to a wide range of substantive law areas. *Grant number 01034*. Contact: Ken Bresin, Technology Contact, Utah Legal Services, kbresin@ulsslc.andjusticeforall.org, (801) 328-8891, ext.303, www.andjusticeforall.org/uls.

Infrastructure

Programs must possess basic technological infrastructures to successfully develop and implement innovations to support pro se and client services. These infrastructures include both personnel and hardware/software components. Different systems can effectively meet the varying technology

> *Legal services programs and their state justice partners can increase the effectiveness and efficiency of pro se and other client services by developing or deploying essential technology capacities – personnel, hardware and software – in new ways.*

infrastructure needs of different states. Examples highlighting innovations TIG grantees have developed to address these needs include the following.

- A grant to *Central Jersey Legal Services (formerly Middlesex County Legal Services Corporation)* supported the implementation of new components of New Jersey's statewide technology plan. **Upgrading the WAN infrastructure with a T-1 (broadband) line increased communication capacities while lowering ultimate costs** by supporting a voice-over IP phone system[11] and making possible inter-office video conferencing. Related upgrades permit transmission of web-based technical training videos and allow tech staff to engage and repair computer equipment in remote offices without leaving the central office, thus enhancing client and advocate services. *Grant number 00038*. Contact: Paul Mullin, Executive Director, (732) 249-7600, pmullin@lsnj.org

- To implement the statewide technology plan, *Legal Services of Southern Missouri* coordinated a statewide technology integration and outreach partnership among the LSC-funded programs, Missouri Bar, the State Support Center, client groups and social service providers. The **dedicated staff time and expertise of a technology specialist** proved critical to the project's success. Without it, the program could not have successfully coordinated the work of relations among the different partners. It also could not have identified the appropriate system components. An integrated data network and web sites will expand clients' access to pro se and pro bono information and more in-depth services. Partnering with client groups and service providers to develop and evaluate the site and its contents will increase the utility and of this resource. *Grant number 01088*. Contact: Jay Wood, Missouri Legal Services Support Center, jwood@mlssc.org, (573) 638-3430

- *Legal Service Corporation of Iowa* (LSCI) (now, *Iowa Legal Aid*) sought to provide Internet access to low-income Iowans with the least access to the Internet – those residing in the most remote, most rural, and most low-income communities in the state. This project was designed to fulfill LSCI's historical commitment to community legal education and lay advocacy. Program managers concluded that dedicated, expert staff was needed for the program's success, so **a technology advocate was hired to spearhead the LSCI's Internet access initiatives**.

  The advocate played a central role in three areas. First, the advocate drafted hard copy and web-based CLE materials (with a tutorial) on how to use the Internet to obtain legal services. These materials ultimately will provide a one-button connection to the program website and be on a CD-Rom with the same functionality as the website. Second, the advocate played a lead role in LSCI's partnership with Area Agencies on Aging to purchase computers with

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[11] The voice over IP phone system makes all in-state calls local calls.

Internet access for 85 multipurpose service centers in remote communities. (A Technology Opportunities Program grant provided support needed to purchase the computers and hire another technology staffer.) As part of the initiative, the technology advocate trains the volunteers at community centers who will provide assistance to low-income people using the Internet. Finally, the advocate worked to resolve a range of technical issues (such as limited dial-up access) that restricted access to the Internet in many rural Iowa communities. *Grant number 00004*. Contact: Pat McClintock, Deputy Director of Program Administration, pmcclintock@iowalaw.org, (515) 243-2151, www.iowalegalaid.org. *Note*: effective 1 January 2003, LSCI became Iowa Legal Aid (ILA).

- The geographic isolation and diversity of the state's low-income population presents *Legal Aid Society of Hawai'i* with service delivery challenges perhaps as great as any in the country. Members of racial and ethnic minority groups comprise 70% of the total client population, which is dispersed over six mountainous islands and uses one or more of thirteen primary languages. To enhance its ability to serve the state's low-income population as effectively as possible, LASH used 2000 TIG funds to support the **enhancement or development of capacities in several areas**. These include: video-conferencing capacities in the program's nine offices to improve assisted pro se activities, a comprehensive, interactive statewide website (with a growing collection of interactive multimedia materials), and an integrated data base system. The effectiveness of this project laid the groundwork for major intake and referral partnership with other groups serving low-income people in the state (see above).   *Grant number 00030*. Contact: Bill Yarian, Technology Coordinator, (808) 536-4302, biyaria@lashaw.org, www.legalaidhawaii.org.

- When three programs merged to form a statewide program, *Nebraska Legal Services* grappled with a challenge confronting many programs across the country: it needed to identify and establish the technological infrastructure to ensure that all the offices of the new statewide program were effectively integrated with each other and the rest of the state justice system. The program found that it could accomplish this most cost-effectively by **outsourcing (contracting with an outside provider) the development and maintenance of the entire technological infrastructure**. The new capacities will enable NLS to expand and coordinate two websites, implement a simplified intake system, provide clients with additional access points to services, facilitate one-state access to all civil legal services providers, provide more prompt service, and expand court accepted pro se and pro bono advocacy. To maximize cost-effectiveness, NLS negotiated separate contracts with a private vendor to obtain equipment and ensure ongoing system maintenance. *Grant number 01015*. Contact: Tim Kelso, Technical Contact, TKelso@nebls.com, (402) 348-1069

- As they merged to form a new statewide program, New Mexico's LSC programs needed a **system to link legal services advocates throughout the**

state with each other and with resources outside the program. *Community & Indian Legal Services of Northern New Mexico* (the new state program) implemented a pilot project that tested the effectiveness of a Wide Area Network (WAN) to accomplish this. Because the pilot clearly demonstrated that this approach improves the quality and quantity of advocates' representation, a 2002 TIG grant will support the statewide implementation of the system, thus strengthening the effectiveness of the new statewide program. *Grant number 00028. (2002 Grant Number 02594)* Contact: Karen Marquez, (505) 982-2504, Karen@cilsnm.com.

- Mississippi's legal services grantees wanted to devise and implement a system that would enable them to coordinate their work as effectively as possible. They were unsure, however, about how to best accomplish this. *North Mississippi Rural Legal Services* piloted a **centralized case management system accessible via the Internet**. Because of the pilot's success, the system is now being implemented throughout the state, with all LSC funded programs sharing the same hardware/software infrastructure. Other states also may find that this approach can be adapted to meet their particular case management needs. The project exemplifies LSC's strategy of piloting an approach in a particular program or area to identify its strengths and weaknesses and determine if it can be implemented cost effectively on a wider scale. (The pilot was supported with 2001 TIG funding; statewide implementation is supported through 2002 TIG funding.) *Grant number 01069.* Contact: Ben Cole, Executive Director, bcole@nmrls.com, or Clarence Franklin, Technical Contact, chfrank@nmrls.com, (662) 234-8731.

Technical Assistance

TIG has funded a range of projects to fund necessary technical assistance to ensure grantees are best equipped to capitalize on the program's resources. These include the following:

> *Technical assistance projects spread technology specialists' expertise and experience throughout the entire legal services community.*

- Through a TIG sub-grant to the *Legal Aid Society of Greater Cincinnati*, the **Management and Information Exchange (MIE)** *Technology Evaluation Project (TEP)* **is developing evaluation standards, evaluation tools and evaluation-related resources** for use by TIG recipients and other LSC grantees. TEP will also provide TIG grantees with the technical assistance necessary to effectively use these resources. The evaluation tools and resources will enable state justice communities to evaluate the operational effectiveness of their technological systems as well as the outcomes these new systems produce for clients. The evaluation systems will generate both quantitative and qualitative analytical data. Initial products should be available for TIG grantees by early 2003. *Grant number 01004.* Contact: John Tull, (303) 258-9227, jatassoc@earthlink.net

- A grant to *Legal Services of South Central Michigan* (LSSCM) supports **LStech.org, a web portal (website offering a wide array of resources) that provides specially tailored information and services on technology and legal services for poverty lawyers**. A partnership of LSSCM, the University of Michigan Law School, NLADA, and the National Technology Assistance Project (see below), LStech seeks to provide comprehensive information on all aspects of technology and legal services as well as unique web services, such as on-line work groups, a tech projects directory and the LStech.org news service. *Grant number 01020*. Contact: Steve Gray, LStech Director, (734) 998-6100 ext.25, grange@umich.edu, www.lstech.org.

- A grant to *Legal Aid Society of Orange County* (LASOC) supports the **National Technology Assistance Project (NTAP), which provides guidance and technical assistance to TIG grantees**. NTAP also provides content and editorial assistance for LStech, provides technical assistance to TIG grantees in their development and implementation of new technological systems, helps plan and organize LSC's annual TIG Conferences, and designs and organizes TIG-related sessions at other equal justice community events. *Grant number 01060*. Contact: Gabrielle Hammond, NTAP Project Director, (310) 319-2084, ghammod@verizon.net.

- A grant to the *Northwest Justice Project* funds "**circuit rider" staff to provide technical assistance and capacity building support to TIG grantees using the ProBono.Net Statewide Website Template**. The day-to-day support staff provide enables TIG grantees to capitalize fully on the template's potential for improving program operations and services to eligible clients. The circuit riders also act as a critical communication link between the states, web designers, and the programmers of the ProBono.Net template, ensuring that each newly developed version of the Template most effectively meets the needs of LSC grantees and the community. *Grant number 01044*. Contact: Susan Encherman, (206) 464-1519, ext.250, suee@nwjustice.org, www.nwjustice.org.

- *Gulf Coast Legal Foundation* created LegalMeetings, an on-line conference center that enables legal services staff to participate in on-line training events, meetings, tutorials and presentations. By enabling legal services personnel from throughout the country to conduct and participate in on-line events, LegalMeetings significantly increases communication and information-sharing among LSC grantees at markedly reduced cost, thereby improving the quality of LSC grantees' administration and advocacy. *Grant number 01091*. Contact: Joyce Alexander, LegalMeetings Coordinator, Gulf Coast Legal Foundation, (713) 652-2709, jalexander@legalmeetings.org, www.legalmeetings.org.

IV. LESSONS FROM TIG'S FIRST TWO YEARS

An appraisal of the TIG program's operations and the projects funded to date suggests a number of salient lessons. These fall into two broad categories. One relates to LSC's attempt to use TIG to spur technological innovation and improve the technological capacities of state justice communities. The other includes management issues that can determine the effectiveness of individual TIG initiatives.

TIG's Impact on Technological Innovation and the Capacities of State Justice Communities

Many of these lessons are based on the experiences from one or more of the notable projects profiled in Section III. The most significant of these lessons include the following.

- *Partnerships with other organizations in the state justice community are essential.* Since TIG emphasizes the importance of state capacities, the systems developed through most TIG projects affect other stakeholders and require their cooperation. Also, other stakeholders can provide a range of valuable benefits, including creative ideas, technical expertise, staffing, and financial and in-kind resources. Accordingly, it pays to involve key stakeholders throughout the project: from the inception of the planning phase through implementation and on-going evaluation. The participation of the courts in TIG initiatives has been especially beneficial and is critically important for to improve future client access to the justice system. Some of the projects profiled above provide just a few of the numerous examples that demonstrate these payoffs. These include: Montana Legal Services Association's partnerships with the state bar, state supreme court, district court and law school; the alliances Legal Aid Society of Hawaii developed with legal and social services and community development groups in the state; and Pine Tree Legal Assistance's work with the Telemedicine network in Maine.

Lessons about TIG's Impact on State Justice Systems

- *Partnerships with other state justice community organizations are essential.*

- *TIG grants have strengthened and facilitated state planning and heightened state leaders' awareness of the need and commitment to strengthen the technological capacities of their states' delivery systems.*

- *Effective use of new technologies requires major investments in personnel and organizational change.*

- *TIG has provided a cost-effective way for identifying and developing effective, replicable systems.*

- *Constraints on clients' access and ability to use new technologies pose major limits to the effective returns on technology investments.*

- *TIG has enabled state justice communities to leverage significant resources to meet their technology needs.*

One cautionary note: we have learned and are emphasizing that partners must clarify and specify their expectations, anticipated contributions and responsibilities before embarking on joint endeavors. Some endeavors have floundered because of insufficient preparation in this regard. Of course, developments beyond partners' control can undermine even solid joint endeavors. In one state, for example, the economic downturn created a state budget crisis. As a result, the legislature imposed significant spending cuts on the state court, which was an integral project partner. The funding cuts forced the court to withdraw from the project, thus compromising the project's viability.

- *TIG grants have strengthened and facilitated state planning and heightened state leaders' awareness of the need and commitment to strengthen the technological capacities of their states' delivery systems.* TIG projects have increased state capacities by enabling new statewide programs or new entities within states to identify and implement systems that ultimately will markedly increase the quality and quantity of client services at reduced costs. These projects also have fostered better communication, more coordinated analysis and more responsive decision making among state planners who must identify and develop the systems that best meet the particular needs of the client communities in their respective states. Some examples: TIG funding for the statewide Helpline provided the "jumpstart needed to make" Arkansas' "state planning efforts successful." A TIG grant in Mississippi helped programs think about and plan for technology on a statewide level. TIG funding for a court partnership in Missouri provides needed support for developing a statewide justice community. And TIG funding "fostered state planning in Virginia in

Lessons about TIG's Impact on State Justice Systems

- *Equipment and services provided by private businesses can meet some or all of the technology needs of some state justice communities.*

- *The availability of effective evaluation tools significantly improves the efficacy of TIG projects.*

- *Adequate training and technical assistance can increase the effectiveness of TIG projects.*

- *Better communication is needed between technology specialists and program managers and advocates.*

- *TIG must strike an appropriate balance between two competing values and imperatives in the civil legal services system for low-income people: local control on one hand and a state/national delivery system on the other.*

- *The TIG incentive grants structure is an innovation for LSC and has produced valuable lessons. Most notably, an effective way of fostering changes in community behavior.*

many ways."[12] TIG grants require solid partnerships and coordination. Some (unfunded) TIG applications have revealed that far better communication and coordination is needed within some states.

- *Effective use of new technologies requires major investments in personnel and organizational change.* This reality was demonstrated by the success of several projects profiled above, such as LASH's multi-island intake and referral system, LSCI's internet access initiatives, Missouri's state technology planning, and LASOC's I-CAN! project. These projects invested heavily in staffing and structural changes at the beginning. On the other hand, anecdotal evidence indicates that grantees that failed to make an appropriate investment from the project's outset had slower starts or less successful outcomes.

  At the very least, new staff and training programs may be needed. Often, much more expansive changes in organizational routines and staffing structures may be required, as well as additional work with other groups serving the client community. This reality is well documented in the technology management literature. As a Morino Institute report emphasizes: "money spent on information technology without investments in organizational change and training [is] largely wasted." The report estimates that for "most projects, no more than one-third of the funding should go to technology itself, leaving more than two-thirds for educating staff and developing programs that help organizations tap technology's true potential."[13] The Project for the Future of Equal Justice report similarly emphasized the need for legal services programs to make financial and organizational commitments to ensure that new technologies are used effectively.[14]

- *TIG has provided a cost-effective way for identifying and developing effective, replicable systems.* It has accomplished this goal by funding pilot projects that identify and develop particular systems and/or assess the effectiveness and replicability of these systems. The development of two state website templates have proven to be an especially cost-effective means for achieving significant improvements in state capacities. TIG has funded the development or expansion of websites for 40 state justice communities using one of these templates. ICAN! – the kiosk and web-based pro se system – is being replicated throughout most of California as well as in other states. LSC also

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[12] For further information contact: Jean Turner Carter, Executive Director, Center for Arkansas Legal Services; Jay Wood, Missouri Legal Services Support Center, jwood@mlssc.org, David Neumeyer, Executive Director, Virginia Legal Aid Society, davidn@vlas.org.

[13] Morino Institute, "From Access to Outcomes. Raising the Aspirations for Technology Initiatives in Low-Income Communities," 2001, p.5, p.12. The Institute is a nonprofit organization that "explores the opportunities and risks of the Internet and the New Economy to advance social change." http://www.morinoinstitute.org.

[14] *Equal Justice and the Digital Revolution. Using Technology to Meet the Legal Needs of Low-Income People*, pp.31-32.

hopes to have similar success with document assembly systems that are the focus of 2002 TIG grants (see below).

- *Constraints on clients' access and ability to use new technologies pose major limits to the effective returns on technology investments*. This challenge is detailed in Appendix II; here we profile its major dimensions as well as strategies to meet it successfully. To ensure technology investments yield appropriate returns, TIG grantees and state justice communities must address four notable barriers that can undermine the effective use of technologies for the client population: availability, literacy, language, and outreach and assistance. Strategies also must be implemented to reduce the barriers confronting persons with disabilities.

  With respect to *availability of IT systems* to clients, only 37% of individuals in households with annual incomes less than $15,000 have access to computers and only 25% have Internet access. In contrast, 88% of those in households with incomes greater than $75,000 have computers and 79% have Internet access. Data on simple access understate the significance of this problem, since barely one-fifth (21%) of those with annual incomes less than $15,000 use the Internet at home, compared to more than fourth-fifths (83%) of those with incomes over $75,000.[15]

  Regarding *literacy*, some 44 million American adults – more than one in six – lack "the reading and writing skills necessary for functioning in everyday life."[16] Yet, most Internet content now has little use for these individuals. And an estimated 45 million Americans *do not speak English at home* and some 28.4 million are foreign born.[17]

  Further, *legal services clients may not employ available technologies even if these technologies are more accessible and offer useful information*. At the broadest level, the Morino Institute echoes other research in noting that: "Most people in low-income communities have little reason to embrace technology. Worse still, many fear or distrust it."[18] And in the legal services

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[15] "Does the Digital Divide Still Exist?" p.4.

[16] The Children's Partnership, "Online Content for Low-Income and Underserved Americans: An Issue Brief by the Children's Partnership." Washington, DC: 2002, p.6. This publication updated an extensive report the Children's Partnership released in 2000: *Online Content for Low-Income and Underserved Americans: The Digital Divide's New Frontier*.

[17] "Online Content for Low-Income and Underserved Americans," p.3.

[18] Mark Cooper, "Does the Digital Divide Still Exist? Bush Administration Shrugs, But Evidence Says 'Yes.'" May 30, 2002, Consumer Federation of America; See also U.S. Department of Commerce, National Telecommunications and Information Administration (NTIA). *A Nation Online: How Americans Are Expanding Their Use of the Internet*, February 2002. (Hereinafter, *A Nation Online.)* www.ntia.gov/ntiahome/dn/anationonline2.pdf; Michael Lugar, et al., "Identifying Technology Infrastructure Needs in America's Distressed Communities: A Focus on Information and Communications Technology," Office of Economic Development, University of North Carolina, August 2002, Chapel Hill, NC; US General Accounting Office, "Telecommunications: Characteristics and Choices of Internet Users," February 2001; Lee Rainie, et al., "Who's Not Online: 57% of those without Internet access say they do not

context, the American Association of Retired Persons (AARP) has found that clients' ability to use on-line resources is severely limited absent personal or on-line multimedia navigational assistance and guidance.

Finally, the approximately one in ten Americans with severe *disabilities*[19] confront one or more of a range of specific challenges – e.g., lack of access to computers and the internet, impaired sight, impaired hearing, limited ability to use standard keyboards – that restrict their abilities to exploit the potential of many IT systems.

Appendix I profiles some of the strategies TIG grantees and others serving low-income populations are implementing to overcome these barriers.

- *TIG has enabled state justice communities to leverage significant resources to meet their technology needs*. 2000 and 2001 TIG grantees generated commitments of non-grant financial and in-kind support at the beginning of their projects worth some $10.9 million, over 95% of total grant funding in those years. 2002 grantees estimated they would generate some $2.0 million of non-grant support, about 45% of total grant funding.[20] In some cases, grantees raised substantial additional resources after the project was funded.[21]

  Additionally, TIG has strengthened LSC's ability to generate additional support at the national level. This includes the capacities and functionalities provided states through the state website templates, bulk purchasing of Lexis/Nexis available to advocates across the country, bulk purchasing that provides access to Legal Meetings for staff of all LSC grantees, and work on the development of technology standards and evaluation tools, which will improve effectiveness of legal services providers' technology systems.

- *Equipment and services provided by private businesses can meet some or all of the technology needs of some state justice communities*. As profiled above, Nebraska Legal Services (NLS) outsources all of its hardware and software

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plan to log on," Pew Internet and American Life Project, Washington, DC, September 2000, p.3 (available online at www.pewinternet.org); Thomas Novak and Donna Hoffman, "Bridging the Digital Divide: The Impact of Race on Computer Access and Internet Use," Project 2000, Vanderbilt University, 1998 (http://elab.vanderbilt.edu/research/papers/html/manuscripts/race/science.html.)

[19] U.S. Census Bureau, *American Fact Finder, Quick Table-P21. Disability Status by Sex: 2000*; U.S. Census Bureau, "Disabilities Affect One-Fifth of All Americans," Census Brief 97-5, December 1997.

[20] These are rough estimates. Grantees provided projections for non-grant contributions for the 2000-2002 period only with their grant applications. Data for the non-grant support that was ultimately generated were not collected. Further, the estimates for non-grant project support were for the projects *proposed* by grantees. Since the amounts granted were less than the amounts requested, the proposed projects very likely scaled back, perhaps reducing outside support. To adjust for these data limitations, the amount of non-grant support projected in the applications was reduced by the ratio between the grant requests and the grant awards for the successful applicants.

[21] Aggregate information on the amount of additional resources received by our grantees after the initial awarding of the grants is not currently available. TIG data collection systems are now being established to obtain this information in the future.

systems. And Virginia Legal Aid Society (VLAS) uses ASP-based software and case management systems as key components of their state intake systems. The use of private vendors' products and services can reduce programs' capital expenditures and staffing costs. For example, by using ASP for software and case management, VLAS reduced its initial equipment and software costs and reduced their need for a staff technology responsible person.

Some states have encountered problems, however, in their efforts to adapt for their own purposes products originally designed to meet the needs of other buyers. Accordingly, they must diligently assess whether these systems can be tailored to suit their purposes most effectively. Additionally, if legal services providers do choose to have outside vendors meet their technology needs, they must have the staff expertise required to assess the value and cost-effectiveness of the goods and services they procure.

- *The availability of effective evaluation tools significantly improves the efficacy of TIG projects*. Without these tools, programs lack an essential project component: the ability to effectively assess progress toward goals, identify design or implementation problems, and make necessary adjustments. The Legal Aid Society of Orange County demonstrated the value of this on-going evaluation in the design and implementation of ICAN! LASOC also demonstrated that solid, professional evaluations conducted by outside experts could significantly enhance project credibility and replicability. In contrast, the progress of some TIG projects has been hindered by the absence of these invaluable program improvement tools (see below).

- *Adequate training and technical assistance can increase the effectiveness of TIG projects* and, more broadly, the legal services community's use of available technologies. TIG grants providing technical assistance (e.g., NTAP, website circuit riders) were made largely because of TIG grant managers' experiences with the first year grants. Assessments of TIG grants and comments of TIG grantees and other legal services personnel indicate these capacities may need to be expanded (or other capacities created). For example, participants in the June 2002 TIG Summit Meeting[22] emphasized that the ability of LSC grantees to capitalize on the service delivery benefits of new technologies requires effective training and technical assistance that may not be currently available.

- *Better communication is needed between technology specialists and program managers and advocates*. Program managers and advocates often fail to appreciate the greater efficiencies that increased technological capacities can

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[22] LSC convened a meeting of a small number of TIG grantees and individuals with expertise with IT systems in legal services to input about how the program could be most effective. A report on the meeting is available at http://rin/Rinboard/Rinboard.htm.

provide. At the same time, technology specialists may be excited about the potential of technological innovations, but may not fully understand or effectively articulate how these can translate into improved services to clients.

- *TIG must strike an appropriate balance in the long-standing tension between two competing values and imperatives in the civil legal services system for low-income people: local control on one hand and a state/national delivery system on the other.* This tension has taken two major forms with TIG. First, programs in some states have not appreciated Congressional intent for TIG. As a result, they have urged LSC to provide TIG funding according to a census-based formula or have sought TIG funding for basic technological infrastructure expenses unrelated to innovative or major capacity building initiatives. Second, the use of templates and related replication approaches can pit concerns about particular local needs against the need to strengthen state justice communities. Some managers may prioritize customizing systems for individual programs or, at times, individual states. In contrast, LSC has emphasized the need to maximize capacities throughout the state and national delivery system at minimally effective costs, often by national templates for use in states. Given the differences *among* state legal systems, the use of certain templates may be limited or may require significant adaptations. By the same token, many templates can be adapted effectively for many states, and customization *within* states seems an unwarranted use of scarce resources.

- Finally, *the incentive grants structure of TIG is itself an innovation for LSC and has produced valuable lessons*. Most notably, these grants have proved a *very effective way of fostering changes in community behavior*. Hopes for incremental funding have led LSC grantees to invest major resources in planning, building collaborations, and organizing for significant changes in how they use technology in their deliver systems. Many of these efforts have had beneficial impacts even when the sought after grant was not initially awarded. These changes, in turn, have stimulated non-technology changes in the delivery system. Technology grants have facilitated reconfiguration efforts, and, more importantly, the TIG process has encouraged statewide and indeed national thinking about the delivery system as a whole, thinking which has then been reflected in the state planning process as a whole.

Project Management

The first two years of TIG demonstrate that many factors determine the success of individual projects. While these "lessons" may seem obvious; their presence here indicates that some TIG program managers have yet to fully appreciate them. TIG projects have highlighted the importance of the following areas:

Project outcomes are influenced by their baseline knowledge, partnerships, authority and super-vision, staffing, and evaluation mechanisms.

- *Baseline knowledge and partnerships*. Successful projects require program managers to be well informed about the integral dimensions of proposed projects. Among other issues, managers must effectively assess the capacities and costs of different technology systems as well as challenges involved in implementing them; identify and secure necessary staff expertise; develop necessary partnerships; and specify different partners' expectations, roles and responsibilities. Effectively accomplishing these tasks can be especially complex and challenging for legal services managers. After all, legal services programs' are not in the business of developing cutting edge technology systems.

- *Authority and supervision*. Projects must have ultimate decision makers and/or finite decision-making processes. Extended or diffuse decision-making processes can hinder the progress and effectiveness of collaborative projects. Also, technology projects can present particular challenges for legal services managers. This can be especially problematic when managers lack sufficient technical knowledge about a project or when communication between managers and technology staff is poor.

- *Staffing*. (See discussion on "Effective use of new technologies requires major investments in personnel and organizational change" in the previous section.)

- *Evaluation*. Like many organizations, some TIG grantees do not conduct effective evaluations. In part, this results from the lack of effective evaluation tools. LSC intended to provide grantees with the necessary evaluation tools for many TIG projects in mid-2002. As indicated above, these tools, developed through a TIG grant, will be forthcoming in early 2003. The absence of professionally designed evaluation tools is not the only problem, however. Some managers do not appreciate the value of evaluation as an integral part of planning and management. On-going evaluation, properly used, is an indispensable program tool. Evaluation processes should be fundamental project components, from inception and planning through implementation. These enable project managers to assess program progress, identify any problems and make necessary adjustments. We are pleased that grantees will soon possess the tools to accomplish these tasks.

V.   The TIG Program's Future Directions

Lessons from TIG's initial two years fundamentally inform the program's future directions. LSC will improve its systems to obtain, compile and disseminate more extensive information about the program's operations and the accomplishments of grantees. Grant recipients increasingly will be equipped to conduct and expected to use project evaluations as an integral program improvement tool. LSC will work with individual grantees to establish clear and concrete project goals and

benchmarks and rigorously assess progress toward those goals. Grantees will have access to expanded training and technical assistance resources. Finally, grants funded in the 2002 cycle will build upon and expand successful initiatives and develop new innovations. The following elaborates major components of the program's future directions.

Generating and Disseminating Information about TIG Project Findings and Achievements

Since individual TIG projects are developing and evaluating a wide range of technological systems to improve client services, the projects are producing a wealth of useful information for the legal services community. Systematically obtaining and disseminating this information will strengthen LSC's planning and operational capacities. It will help LSC grantees and the rest of the equal justice community best identify the technological systems that will increase enable them serve clients most effectively and efficiently. And it will help grantees and the rest of the equal justice community generate new private and public partnerships to strengthen the legal services delivery system. Accordingly, LSC technology program staff are now developing and assessing mechanisms that will:

TIG will be strengthened by:

- *Compiling and disseminating more information about the program's findings and successes*

- *Providing new guidance and tools for program evaluation*

- *Setting clearer goals for projects and more rigorously assessing their performance*

- *Adapting and extending successful systems*

- *Developing and identifying new innovations*

- *Identifying and supporting essential technical assistance*

- Provide access to current information (updated quarterly) about the progress and lessons of individual initiatives.

- Provide information about the financial costs and operational challenges involved in implementing specific technology initiatives as well as the varying strategies grantees used to address these challenges.

- Provide information about financial, in-kind and other resources as well as resources development strategies used by TIG grantees and other members of the equal justice community across the country.

- Facilitate word searches of TIG grants on the LSC website, thus enabling one to readily obtain information about specific systems and strategies.

This information will be available through the *LStech* web portal.

Providing Guidance and Tools for Project Evaluation

As discussed above, effective evaluation tools will significantly strengthen the effectiveness of TIG projects. Accordingly, LSC staff are working closely with *TEP* and others to develop evaluation standards and tools that will provide TIG grantees with improved capacities to assess project performance, identify design and implementation problems and implement appropriate program modifications. These mechanisms will ensure that evaluation is an integral component of every stage of TIG projects, from inception and design to the initial and ongoing implementation and final assessment. (Additionally, we expect these evaluation tools will prove useful in assessing technology initiatives other than TIG projects.) LSC also will work with TEP, individual TIG grantees and other technology experts to help grantees use these tools most effectively as well as to evaluate the effectiveness of the evaluation tools themselves. In concert with these same groups, TIG staff will ensure these tools are adapted and modified to meet the evolving needs of LSC grantees.

LSC also will work with TIG grantees and other grantees to identify additional evaluation strategies and resources. One dimension of this work is helping LSC grantees identify and broker relationships with university-based and other evaluation experts. Another is working with grantees to develop and implement reliable lower-cost evaluations. For example, rigorous evaluations with "practical" as opposed to statistical validity can provide managers with findings sufficiently reliable to assess and improve program performance effectively.

Establishing Clearer Project Goals and More Rigorously Assessing Project Performance

To enhance the overall effectiveness of the TIG program and to ensure individual grants yield maximum benefits, LSC will increase its efforts to ensure that project goals and benchmarks are as clear, concrete and realistic as possible and that ongoing assessments are conducted so that necessary programmatic adjustments can be implemented. To accomplish this, TIG grants managers are developing specific written instructions about the documentation necessary to demonstrate acceptable progress towards each project milestone. LSC staff will work closely with grantees in this area so goals and performance standards are appropriately tailored for individual projects.

Adapting and Extending Successful Systems and Developing New Innovations

A sample of projects funded with 2002 funds highlight LSC's approach in this area.

- *Alaska Legal Services Corporation* (ALAS) and the Alaska Court System will work together to establish computer workstations for use by pro se litigants in six rural/remote courthouses. The partners will **develop a variety of web-based self-help modules using simple MS PowerPoint software**. They will share their expertise and materials, which will be located on the statewide web site. *Grant number 02682*. Contact: Beth Hever, (907) 452-5181, bhever@alas-law.org, www.alsc-law.org.

- *Legal Aid Society of Orange County, Inc.*, (California) will develop an **Earned Income Tax Credit module for use with its Interactive Community Assistance Network (I-CAN!)**. This will enable low-income workers to file for the EITC tax benefit by helping them properly complete a Schedule EIC and the appropriate Tax Form 1040, 1040A or 1040EZ. The module will offer electronic filing for users, and LASOC will provide necessary training and support services. This project has great promise, because the EITC is a federal program that can significantly increase the financial stability of low-wage workers and their families. (Next to Medicaid, the EITC provides more aid to low-income families than any other public aid program – nearly $30 billion in FY2002.) Since the eligibility criteria and forms are uniform nationally, legal services programs across the country can use this ICAN! system to ensure their client communities have access to EITC benefits. In addition to reducing the barriers workers must overcome to apply for these benefits, the proposed project can protect the program's integrity by reducing filing errors. *Grant number 02674*. Contact: Bob Cohen, LASOC Executive Director, (714) 571-5232, ican@legal-aid.com, www.legal-aid.com/I-CAN/ican.html.

- *Legal Aid Bureau, Inc.* (Maryland) is developing a **web-based pro se litigant support system** that will be at the state's court-funded assisted pro se programs. Pro se litigants will access their own personal web pages as "personal case account managers" and be able to maintain their own resource files, which may consist of pages they have downloaded and forms they are in the process of completing. The project building on the Access to Justice

> *Notable projects begun in 2002 develop and assess:*
>
> - *Web-based self-help modules using PowerPoint;*
>
> - *A web-based pro se support system sited at court-funded assisted pro se centers;*
>
> - *Kiosk-based modules that will enable eligible clients to file for the Earned Income Tax Credit while protecting program integrity by reducing filing errors;*
>
> - *Pro se web-site templates that utilize "hot docs" document assembly software, a simplified interview guide similar to the popular TurboTax software program.*
>
> *Another notable initiative will produce a consumer reports-type analysis of the various case management systems now available to legal services programs.*

Project at Chicago-Kent School of Law, which developed a user-oriented integrated system to educate and support pro se litigants. The project also will develop a panel of attorneys to provide "unbundled" services and mediators willing to offer free services to pro se litigants. *Grant number 02122*. Contact: Luther Blackiston, (410) 539-5340, lblackistaon@mdlab.org, www.mdlab.org.

- *Southern Minnesota Regional Legal Services* is subcontracting with a technology consultant to provide **technical assistance for several "hot docs" grants**. "Hot docs" offers a valuable functional enhancement to statewide websites. This document assembly software guides users by posing a single question per page and then proceeding based upon users' response to the question. (This is similar to the popular Turbo Tax software program.) The consultant will provide tailored technical assistance and develop a training module and guidance materials to ensure that users of the ProBono Net and Kaivo statewide website templates develop compatible "hot docs" document assembly systems. *Grant number 02342*. Contact: Jaya Shoffner (651) 228-9105, x111, jshoffner@mnlegalservices.org, www.mnlegalservices.org, www.mnlegalservices.org.

- *Central Jersey Legal Services (formerly Middlesex County Legal Services Corporation)* (New Jersey) is developing a **pro se interview template that uses the "hot docs" document assembly software (see previous entry) with the ProBono Net website template**. The use of this on-line interview tool will enhance the ability of pro se litigants to identify key issues affecting their legal matters, take advantage of a wide range of resource materials, and enable them to identify, complete and print out appropriate legal documents. *Grant number 02157*. Contact: Paul Mullin, Executive Director, (732) 249-7600, pmullin@lsnj.org

- *Ohio State Legal Services*, working with Indiana Legal Services, is developing an **assisted-pro se interview template that uses the "hot docs" document assembly software (see previous two entries) with the Kaivo website template**. This interview tool includes similar capacities to those of the template developed by MCLSC (see previous entry): it will enhance the ability of pro se litigants to identify key issues affecting their legal matters, take advantage of a wide range of resource materials, and enable them to identify, complete and print out appropriate legal documents. Additionally, the system provides access to pro bono attorneys, intake workers and programs' advocacy staff, enabling them to provide assistance to pro se litigants on an as-needed basis. *Grant number 02258*. Contact: Elizabeth Kowalczyk, Technology Coordinator, bkowalczyk@oslsa.org, (614) 221-7201 ext.130, www.oslsa.org/OSLSA/PublicWeb.

- *Potomac Legal Aid Society, Inc.*, (PLAS) (Virginia) is implementing a strategy to address a service delivery challenge that confronts most if not all LSC grantees: meeting the legal needs of eligible clients who are not

proficient in English. **PLAS is collaborating with the Asian Pacific American Legal Resource Center (APALRC)** to increase services to the underserved Asian American community in northern Virginia. APALRC **interpreters will conduct client intake in their offices and then use an ASP database program (see p. x, footnote 2) to transfer eligibility and case information over the Internet to PLAS for brief legal advice, and to Legal Services of Northern Virginia for extended representation.** The use of ASP facilitated this partnership by reducing the costs APALRC incurs. *Grant number 02290*. Contact: Linda Boykin, Executive Director, (703) 538-3978, lboykin@potomaclegalaid.org.

- *Southern Minnesota Regional Legal Services* is conducting **usability testing of the LawHelp.org/MN portal project.** Testing both the Client and Advocate sides of LawHelp.org/MN is required to ensure that the system's navigational scheme and graphics are understandable and usable for a wide variety of people. For example, studies have indicated that those with minimal computer literacy typically cannot use scroll bars to navigate websites. This project seeks to identify and address a range of such issues. Lessons learned from the project will be incorporated into the website templates nationally. Contact: Jaya Shoffner (651) 228-9105, x111, jshoffner@mnlegalservices.org, www.mnlegalservices.org.

- Working with other Tennessee programs, *Legal Aid of East Tennessee* will **assess the cost-effectiveness of different case management software systems available to legal services programs. The project will then produce and disseminate a "Consumer Reports" analysis** detailing the findings of its in-depth comparative analysis. This will provide valuable information for legal services programs across the country as they make case management system purchasing decisions. *Grant number 02546*. Contact: David Yoder, Executive Director, (865) 637-0484, dyoder@laet.org, www.korrnet.org/klas.

- *Legal Services of South Central Michigan, Inc*. will **develop and pilot test a set of XML standards for sharing client and advocate legal information**. XML software makes possible the exchange of data between different data base systems. Among other benefits, these will allow different programs and service providers to exchange client referral data between disparate case management systems. The project will work with the Court Filing Section of Legal XML to ensure that legal service programs are effectively prepared to conduct and facilitate electronic filing of court documents. *Grant number 02214*. Contact: Steve Gray, LStech Director, (734) 998-6100 ext.25, grange@umich.edu, www.lstech.org.

Providing Training and Technical Assistance

LSC will support several notable training and technical assistance initiatives. These include the following.
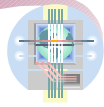
- *Legal Aid Society of Orange County, Inc.* (LASOC). This project funds the NTAP to create a **national curriculum for training technical staff, management and general staff on how to more effectively use electronic technologies to improve client services**. NTAP will coordinate the curriculum's preparation and use at pertinent conferences, including the NLADA Annual Conference, the Equal Justice Annual Conference, and TIG events. It also will conduct "training of trainers" events to improve the ability of state and regional training coordinators to provide training to users in their respective states. Finally, NTAP will produce a manual on statewide technology planning. *Grant number 02675*. Contact: Gabrielle Hammond, NTAP Project Director, (310) 319-2084, ghammod@verizon.net.

- *Legal Services Law Line of Vermont, Inc.*, is creating the **Legal Services Distance Learning Institute, an on-line resource containing the core curriculum of the Legal Services Training Consortium of New England**. Legal services staff throughout the country will have access (via the website and CD-Rom) to the Consortium's core curriculum on legal services management, administrative and substantive law issues. It also will provide a platform for other legal services organizations to provide distance-learning opportunities. *Grant number 02041*. Contact: Thomas Garrett, (802) 863-7153, ext.11, tgarrett@lawlinevermont.org, www.lawlinevt.org.

- Ongoing support – through existing multiyear grants – for *LStech, NTAP, Legal Meetings, ProBono Net "circuit riders,"* and the *Technology Evaluation Project*.

- The technology consultant hired through the grant to *Southern Minnesota Legal Services* to provide technical assistance on the "hot docs" grants.

VI. Conclusion

The knowledge and capacities generated through the TIG program have, we believe, significantly exceeded its costs. LSC will work with its grantees to ensure TIG is as effective as possible and with Congress to ensure that the program remains a resource for technological innovation and improvement in the civil legal services community. The TIG experience to date clearly demonstrates that the civil legal services

TIG's benefits have significantly exceeded its costs. Its record demonstrates that federal funding for the program – along with complementary technology investments by other funders and legal services programs – can significantly improve service to clients.

community can ill-afford not to make the investments needed to continually upgrade and strengthen its technology in appropriate ways. Indeed, this failure would likely undermine progress toward the goal of equal access to justice for all Americans.

I.   THE CHALLENGE

The degree to which state justice communities' technology investments ultimately improve client services depends on the extent to which clients have effective access and the ability to take advantage of new information technologies. Even the "best" technologies with the most up-to-date legal information will not help persons who lack access to them or cannot or will not use them.

Designers of websites, kiosks and related systems, and the state justice communities that seek to use them, must overcome a range of access barriers to insure technology investments yield appropriate returns. Four of these seem especially important: availability of computers and Internet access, limited literacy, limited English proficiency of immigrant populations (who also have distinct cultural values and needs), and outreach and assistance. And, of course, persons with individuals confront one or more of a range of specific challenges – e.g., impaired sight, impaired hearing, limited ability to use standard keyboards – that restrict their abilities to exploit the potential of many new technology systems. While these barriers are interrelated and overlapping, discussing them separately provides a clearer understanding of the particular dimensions of each. This section describes these challenges. The next section profiles ways that TIG grantees can address and are addressing each of them.

> *To ensure new technologies effectively serve client communities, technology planners must address barriers confronted by those who:*
>
> - *Do not own or have limited access to computers;*
> - *Have limited literacy;*
> - *Are not proficient in English, and often are foreign born and have different cultural needs and values;*
> - *Lack sufficient knowledge of how to use computers and web-based technologies;*
> - *Have disabilities.*

This paper cautions that these access barriers can restrict the effectiveness of the promising tools made possible by new technologies. Failing to address these challenges will imperil the utility of those tools and prevent TIG grantees and other legal services providers from fully capitalizing on their technology investments. Because of the critical importance of access issues, projects to address them will be considered a high priority in TIG's 2003 funding cycle.

> *Projects to address access issues will be a major priority in TIG's 2003 funding cycle.*

A.   Availability of Computers and Internet Access

This section highlights data regarding different groups' access to and use of computers and the Internet. These data are presented not to analyze the "digital divide" but rather to illustrate that new technologies are not readily available to most of those who comprise the populations served by LSC-funded programs and related legal services providers.

> *Compared to whites and more affluent individuals, people of color and low-income people are far less likely to own or use computers or have access to the Internet.*

Data in a February 2002 report by the US Department of Commerce's National Telecommunications and Information Administration (NTIA) profiled many dimensions of this issue.[23] Charting changes in computer and Internet usage from December 1997 to September 2001, the report emphasized some positive developments. In particular, it noted that the growth rates in Internet usage were highest among disadvantaged groups: the number of individuals in families with annual incomes less than $25,000 that was online more than doubled from 1998 to 2001, from 7.8 million to 16.7 million. However, this progress belies the broader reality that much work is needed to eliminate the persisting disparities based on income and other relevant factors.[24] The NTIA report did not emphasize, for example, that these growth rates in large part resulted from the limited access disadvantaged groups had in the first place. Nor did it highlight the continuing disparities in different groups' access to and use of computers and the Internet.[25]

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[23] U.S. Department of Commerce, National Telecommunications and Information Administration (NTIA). *A Nation Online: How Americans Are Expanding Their Use of the Internet*, February 2002. (Hereinafter, *A Nation Online.)* (www.ntia.gov/ntiahome/dn/anationonline2.pdf) *A Nation Online* is the fifth annual report by NTIA. The previous four in the series were entitled "*Falling Through the Net*." As Julia Gordon observes, "The change in both the title of the report and its contents reflects the change in political leadership. While the Clinton Administration focused on racial and income disparities in computer ownership and Internet access, the Bush Administration has focused on overall progress in all categories." *Equal Justice and the Digital Revolution. Using Technology to Meet the Legal Needs of Low-Income People*. Project for the Future of Equal Justice, November 2002, p.6, note 4, (www.nlada.org/DMS/Documents/1036108809.8/digital_divide.pdf.)

[24] Some criticized the report's gaps and the overly optimistic conclusions that were drawn from the data it presented. See, for example, Benton Foundation, "Federal Retrenchment on the Digital Divide: Potential National Impact," *Policy Brief No. 1*, March 2002; Leadership Conference on Civil Rights Education Fund and Benton Foundation, "*Bringing a Nation Online: The Importance of Federal Leadership*," available online at (www.civilrights.org/publications/bringinganationonline); Mark Cooper, "Does the Digital Divide Still Exist? Bush Administration Shrugs, But Evidence Says 'Yes.'" May 30, 2002, Consumer Federation of America (www.consumerfed.org/DigitalDivideReport20020530.pdf); Kade Twist, "A Nation Online, But Where are the Indians?" Digital Divide Network, 2002 (www.digitaldividenetwork.org/content/stories/index.cfm?key=215)

[25] These disparities include:
- Compared to those in households with incomes less than $15,000, individuals in households with incomes over $75,000 are more than twice as likely to have computer access (88% vs. 37%) and over three times as likely to have internet access (79% vs. 25%).

As discouraging as they are, rates of computer and Internet access may make disadvantaged groups' limited access to computers and the Internet appear less severe than it actually is. Marc Cooper of the Consumer Federation of America asserts that more important than computer usage per se is whether people have access to computers and Internet at home. Having a computer and Internet access at home increases the likelihood that one will develop the skills to use these technologies and exploit their capabilities. Cooper reports that less than one-fourth of those with annual incomes less than $25,000 (almost one-third of the nation's population) have Internet access at home compared to more than three-fourths of those with incomes over $50,000 (also almost one-third of the population). Barely one-fifth (21%) of those with annual incomes less than $15,000 use the Internet at home, compared to more than fourth-fifths (83%) of those with incomes over $75,000.[26]

At some point, the ever-increasing improvements in and decreasing real costs of new technologies will make home computers and Internet access available to most households. Indeed, "over an extended period of time, perhaps a generation, Internet penetration will reach the levels enjoyed by the telephone, which used by

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- Among adults over 25 years of age, those with a Bachelor's degree are more than two-and-a-half times as likely to use a computer (85% vs. 33%) and more than three times as likely to use the Internet (81% vs. 25%) than are those with less than a high school education.
- Among racial groups, 54% of Blacks use computers and 40% use the Internet. 49% of Latinos use computers and 32% use the Internet. In contrast, 70% of whites use computers and 50% use the Internet, and 71% of Asian Americans and Pacific Islanders use computers and 60% use the Internet.[25]
- Only 41% of the unemployed use computers and 37% use the Internet, while 73% of those with jobs use computers and 65% use the Internet.

The above data are based on *A Nation Online*, Tables 2.1 and 2.2. In addition to the previous *Falling Through the Net* reports, a variety of other analyses have documented similar disparities in Internet and/or computer usage and access among different income, racial and ethnic groups. Among others, see: Michael Lugar, et al., "Identifying Technology Infrastructure Needs in America's Distressed Communities: A Focus on Information and Communications Technology," Office of Economic Development, University of North Carolina, August 2002, Chapel Hill, NC; The Children's Partnership, "Online Content for Low-Income and Underserved Americans: An Issue Brief by the Children's Partnership," Washington, DC: 2002 (www.contentbank.org/TCP-OnlineContent.pdf) ; Benton Foundation, "Federal Retrenchment on the Digital Divide;" Digital Divide Network, "Digital Divide Basics Fact Sheet," Benton Foundation, Washington, DC, 2002 (www.digitaldividenetwork.org/content/stories/index.cfm?key=168) ; The Children's Partnership, *Online Content for Low-Income and Underserved Americans: The Digital Divide's New Frontier*, Washington, DC: 2000 www.childrenspartnership.org/pub/low_income/index.html; US General Accounting Office, "Telecommunications: Characteristics and Choices of Internet Users," February 2001; Lee Rainie, et al., "Who's Not Online: 57% of those without Internet access say they do not plan to log on," Pew Internet and American Life Project, Washington, DC, September 2000, p.3 (www.pewinternet.org); Thomas Novak and Donna Hoffman, "Bridging the Digital Divide: The Impact of Race on Computer Access and Internet Use," Project 2000, Vanderbilt University, 1998 (http://elab.vanderbilt.edu/research/papers/html/manuscripts/race/science.html); Cooper, "Does the Digital Divide Still Exist?"
[26] "Does the Digital Divide Still Exist?" p.4.

94% of Americans and the television, which is used by 98% of Americans."[27]
This near universal access will not be reached for many years, however.

Some may expect that because young people use computers and the Internet at far
higher rates than adults, low-income youth can provide their families with
necessary computer and Internet access. Among young 10 to 17 year olds,
however, only 21% of those in households with income under $15,000 use the
Internet at home, while 54% do not access the Internet at all. In contrast, some
83% of those with incomes over $75,000 use the Internet at home, but only 12%
do not go online at all.[28] Among ethnic and racial categories, 31% of Latino
youth use the Internet at home but far more – 52% – do not use it at all, and 32%
of Black youth use the Internet at home while 48% do not use it at all. In contrast,
fully 77% of white youth use the Internet at home but only 20% do not use it at
all.[29]

Thus, given low-income groups' limited access to computers and the Internet,
state justice communities can not expect high percentages of client groups to
readily take advantage of new web-based information and related tools. These
constraints are compounded by additional, no-less confounding access challenges.

B.   Limited Literacy

Some 44 million American adults – more than one
in five – lack "the reading and writing skills
necessary for functioning in everyday life."[30] Yet,
most existing Internet content has little utility for
these individuals. The Children's Partnership
analyzed the 20 sites deemed the most useful to
underserved Americans. Of these, only one
"included content comprehensible to a person
with limited reading skills" (i.e., a fifth grade

*Only one of the 20 websites deemed
the most useful to disadvantaged
communities has content that is
comprehensible to the 44 million
American adults who are function-
ally illiterate.*

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[27] "Who's not online," p.2. Tim Watson, "Making Technology Work for Clients," Legal Services
Corporation. Watson argues (p.1) that "the nation's low-income population will inevitably have access to,
and use, the Internet and other technologies on a daily basis" and that "*the client population will enjoy
meaningful, functional access to the informational riches that have been opened to the rest of the nation*"
(emphasis in original).
[28] *A Nation Online*, calculated from Figure 5.9.
[29] *A Nation Online*, calculated from Figure 5.10.
[30] The Children's Partnership, "Online Content for Low-Income and Underserved Americans." This
publication updated *Online Content for Low-Income and Underserved Americans: The Digital Divide's
New Frontier*, a more extensive report released in 2000.

reading level). Site designs and interfaces compound this problem, as sophisticated graphics, ads, and related features "often create space that is busy and confusing to early adult readers."[31]

C. Limited English Proficient and Immigrant Populations' Distinct Cultural Values and Needs

An estimated 45 million Americans do not speak English at home. Some 28.4 million are foreign born.[32] Varying cultural values and needs can further complicate communication with immigrant populations. Available research indicates that existing websites do not effectively address the needs of many of these individuals.[33] For legal services programs' website, pro se and intake systems to best serve these populations, technologies must be built to respond to the particular language and cultural needs of all segments of the client population.

> *Research indicates that most existing websites do not effectively address the needs of the 45 million Americans who do not speak English at home or the 28 million who are foreign born and who may have distinct cultural values and needs.*

D. Outreach and Assistance

Legal services clients may not employ available technologies even if these technologies are accessible and offer useful information. As the Morino Institute argues, "Most people in low-income communities have little reason to embrace technology. Worse still, many fear or distrust it."[34] A study by the Pew Internet and American Life Project found that a majority of those not online believe "the Internet is dangerous," and that people of color, and those with lower incomes and less education are more likely to hold these view than whites and those with higher income and education levels.[35] This perspective is understandable given that new technologies have at times undermined rather than empowered low-income communities. Not only have they eliminated jobs but they been seen as vehicles of intrusion into family and community life by the government or private actors.

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[31] "Online Content for Low-Income and Underserved Americans," p.11.
[32] "Online Content for Low-Income and Underserved Americans," p.3.
[33] See "Online Content for Low-Income and Underserved Americans," pp.11-12; RAND, *Evaluation of English and Spanish Health Information on the Internet*, May 2001 (www.rand.org/publications/documents/interneteval/interneteval.pdf).
[34] *From Access to Outcomes*, p.13.
[35] "Who's Not Online: 57% of those without Internet access say they do not plan to log on," p.8.

Moreover, new technologies can be challenging and even intimidating for those unfamiliar with their operations. As a result, workers of all skill and educational levels in a wide range of institutional settings have often resisted the implementation of new technological systems designed to improve operational effectiveness and efficiency. The use of new systems can be especially challenging for the most disadvantaged populations. Typically, these are the last groups with access to each generation of new technologies and have the least training, support and experience with their use. Consequently, they lack the knowledge and confidence needed to capitalize on these technologies.

Of course, the barriers to disadvantaged groups' ability and willingness to use emerging technologies are entwined with the dynamics associated with poverty in the first place. The *Hotline Outcomes Assessment Study* conducted by the Center for Policy Research highlighted key dimensions of this problem.[36] Some 21% of clients failed to act on the advice they received within three to six months of contacting the hotline. Of these, about 1/4th did not understand what they were supposed to do and another 1/4th "were too afraid to try or lacked the time or initiative." Hotline clients "with the best and worst case results" had predictable demographic characteristics. Those with the best results "were significantly more likely" to be white, English-speaking, with at least a high school education, and with a marital status "other than separated from a spouse." Those with the least favorable outcomes were Spanish speaking, Hispanic, with the lowest education levels, without income and who were separated and living apart from a spouse. Finally, Hotline callers faced predictable barriers that affected their "ability to follow through on advice." These include a family disability or serious health problem; lack of transportation; inflexible work, school or childcare schedules; limited English proficiency; depression; and fear of an ex-partner or current family member.[37]

> *Technology planners must address barriers that prevent clients from using new technologies, even when these are available, comprehensible, and in the appropriate language. These barriers include:*
>
> - *Fear and distrust of new technologies;*
>
> - *Insufficient knowledge of the benefits these technologies can provide;*
>
> - *Lack of awareness of technology systems' existence or locations;*
>
> - *Insufficient knowledge or confidence needed to use computers and the Internet.*

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[36] Jessica Pearson and Lanae Davis, *The Hotline Outcomes Assessment Study. Final Report – Phase II: Full- Scale Telephone Survey*, Center for Policy Research, November 2002. The study was conducted for the Project for the Future of Equal Justice and is available online at www.nlada.org/DMS/Documents/1037903536.22/finalhlreport.pdf.

[37] *The Hotline Outcomes Assessment Study*, pp.i-ii.

We should emphasize that members of disadvantaged groups may be unwilling, wary of or have problems using new technologies **not** because of any inherent personal limitations. Instead, they lack necessary experience, opportunities and supports many others take for granted or confront a range of challenges that others have been able to avoid. TIG grantees and other legal services providers must consider these factors to ensure that the technological systems they implement respond most effectively to the needs of their client communities.

E.   The Needs of Disabled Individuals

Census data indicate that about one in five Americans five years and older has some type of disability and nearly one in ten has a severe disability.[38] *A Nation Online* highlighted the results of questions in the Current Population Survey that were posed "to examine how specific types of disabilities impact computer and Internet use."[39] It reported that persons with these disabilities are much less likely to have Internet access at home than are those without disabilities.[40] TIG grantees and other legal services providers must strive not just to eliminate the physical barriers that impede access to the sites where IT systems are located. They must also address other barriers confronting individuals with disabilities, including: significant hearing or sight impairments, restricted mobility, or difficulty typing or using a mouse.[41]

> *Many persons with disabilities do not have access to computers and the Internet at home or elsewhere. Further, computers often are not equipped to address common disabilities such as significant hearing or sight impairments, restricted mobility, or difficulty typing or using a mouse.*

[38] U.S. Census Bureau, *American Fact Finder, Quick Table-P21. Disability Status by Sex: 2000*; U.S. Census Bureau, "Disabilities Affect One-Fifth of All Americans," Census Brief 97-5, December 1997.

[39] *A Nation Online*, p.65. Questions identified the following disabilities: severe vision impairment, severe hearing impairment, substantial difficulty walking, difficulty typing on ordinary typewriter or computer keyboard, or a physical or mental condition causing difficulty leaving the home for a period of six months or longer.

[40] *A Nation Online*, Tables 7-2, 7-3, and 7-5. Note that two different tables are entitled "Table 7-5."

[41] Varieties of analysts have addressed this issue. A brief journalistic summary is Mark Ward, "Websites Blind to the Disabled," BBC Online, December 9, 2002. (http://news.bbc.co.uk/2/hi/in_depth/sci_tech/2000/dot_life/2557637.stm). Also see the websites (and links) of the following groups: *Center for Applied Technology* (www.cast.org); the *Community Technology Centers' Network* (www.ctnet.org); The *America Connects Consortium* (www.americaconnects.net).

II. ADDRESSING THE CHALLENGE

To be sure, neither TIG grantees nor state justice communities can address the full range of these access barriers. Some are societal in scope, e.g., poverty, inadequate educational opportunities, language differences. Others are less global and should concern those committed to serving low-income population, but may be outside the purview of most legal services groups, e.g., policy changes to increase disadvantaged groups' access to computers and the Internet. Nonetheless, to ensure their technology investments yield the greatest possible returns, TIG grantees and other partners in state justice communities must fully consider the implications these issues have for their technology plans. After this critical first step, planners can then forge strategies to address these challenges. We highlight below specific issues that equal justice communities must consider, approaches that can overcome access barriers, and examples of initiatives that TIG grantees are implementing in this area.

A. Partnerships to Increase Access Points

As indicated above, major segments of disadvantaged populations cannot access the Internet from their homes. Accordingly, state justice groups must work with multiple partners in target communities to ensure that clients secure access to online equal justice resources at alternative locations. To accomplish this effectively, programs must devote sufficient time to "identifying and then cultivating relationships with key local leaders and organizations."[42] This can ensure that state justice communities tap into the wide range and ever-growing number of entities that can serve as access points. These include over 600 community technology centers (CTCs), more than 15,000 (approaching all) of the nation's public libraries, more than 1,100 accredited community colleges, and thousands of entities at the local level such as community centers, social service organizations, neighborhood groups, and housing organizations.[43]

Partnerships are essential to increase the number of computer and Internet access points available to clients. In addition to members of state justice communities, potential partners include Community Technology Centers, community colleges, public libraries, schools, and a host of other community groups and agencies. TIG grantees have demonstrated the benefits these partnerships offer.

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[42] *From Access to Outcomes*, p.9. Also see the websites of the following groups,

[43] *Online Content for Low-Income and Underserved Americans*, p.18; "Online Content for Low-Income and Underserved Americans," p.7.

Unfortunately, budget constraints in many states have caused cutbacks in services at public libraries, which are the main alternative computer and Internet access points for disadvantaged groups. Additionally, funding for major federal programs supporting community technology access has faced unrelenting attacks.[44] These developments intensify the need for state justice communities to forge creative partnerships with a broad range of public and private entities to increase client communities' physical access to computers and the Internet.

TIG grantees and other legal services programs increasingly are forging these partnerships. Notable examples include:

- In partnership with Iowa's Area Agencies on Aging, *Legal Services Corporation of Iowa* used TOP funds to purchase computers with Internet access for 85 multipurpose service centers in remote areas throughout the state.

- *Legal Aid Society of Orange County's* (LASOC) Interactive Community Assistance Network (ICAN!) provides clients with ready access to pro se resources through a kiosk and web-based system that users can access at various locations, including the courts, libraries and District Attorney's offices.

- *Pine Tree Legal Assistance* (Maine) has partnered with a state Telemedicine service to provide intake and assistance, American Sign Language interpretation, and limited pro bono services via teleconferencing at three legal services locations. The project holds great promise for markedly expanding and improving intake and brief services within Maine and elsewhere. For example, this approach can be expanded to additional legal services sites and some 100 existing Telemedicine sites throughout Maine. Similar systems exist in other states that offer opportunities for valuable partnerships and piggybacking of services.

B.   Meeting the Needs of Those with Limited Literacy

Several measures can improve access to the Internet and other technology systems for those with limited literacy. Major considerations include:[45]

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[44] Funding for the Commerce Department's Technology Opportunity Program was cut from $42.5 million in 2001 to $15.5 million in 2002. Congress appropriated some $15.4 million for the program in 2003, despite the administration's efforts to eliminate it. The Department of Education's Community Technology Centers program was cut from $65 million in 2001 to $32.3 million in 2002. Congress appropriated some $32.4 million for the program in 2003, again, despite the administration efforts to end the program. Both programs are slated for elimination by the administration in 2004.

[45] *Online Content for Low-Income and Underserved Americans,* p.9, pp.19-20; "Online Content for Low-Income and Underserved Americans," p.9.

- Sites must be understandable to those with no more than a fifth grade reading level.

- Multimedia presentations that provide pictures, video and verbal instructions that complement text have proven far more effective than text-only approaches, even when textual information is provided at appropriate reading levels.

- Online multimedia tutorials about the benefits and use of sites much improve the ability of limited literacy individuals to use websites.

To best meet the needs of limited-literacy users, technology systems should provide text at no more than a fifth-grade reading level. Equally important, technology systems should offer multimedia materials, including on-line tutorials and guidance. This has been a priority for some TIG initiatives.

TIG projects that seek to address these issues include the following.

- Clients do not need to read or write to use the pro se services provided through *Legal Aid Society of Orange County's* I-CAN! project. By touching options provided by a "video guide" on a computer screen, users can obtain properly formatted pleadings, tour the courts and learn about pertinent laws and steps needed to address their particular legal matter. The system features videos of speakers (in English, Spanish and Vietnamese, so far) guiding users through each step of the process.

- The "Computers That Speak of the Law" project, implemented by *DNA - People's Legal Services, Inc.*, seeks to community legal education, pro se and related information to the program's Navajo and Hopi clients who have limited proficiency in English and whose communication practices are grounded in an oral tradition, not written language. The project uses screen kiosk technologies to orally deliver culturally appropriate community legal education and social service resource information to the Navajo and Hopi communities.

- Through a grant to *Land of Lincoln Legal Services*, the Illinois LSC-funded programs are building the statewide infrastructure and new web tools to produce, use and distribute the 3D Multimedia Manual. The manual will contain detailed guidance on how to build a website that provides content in multimedia formats, including text, audio, video and animation.

- *Southern Minnesota Regional Legal Services* is conducting usability testing of the LawHelp.org/MN portal project. This testing is required to ensure that the system's navigational scheme and graphics are understandable and usable for a wide variety of people. The project seeks to identify and address a range of issues affecting the ability of clients and

others to use the websites effectively. Lessons learned from the project
will be incorporated into the website templates nationally.

C.   Meeting the Needs of Immigrants and Other Limited-English Speakers

The changes limited-English speakers have prioritized to improve the usefulness
of the Internet also can inform technology planners' development of other
systems. These changes include:[46]

- Information in their native languages.
  Research and anecdotal evidence
  indicate translations of English
  materials are often plagued by
  imprecision and errors and are pitched
  at far too high a reading level.
  Accordingly, state justice planners
  should work with experienced website
  translation professionals to ensure the
  websites and online resources are
  appropriate for targeted audiences.

> *To benefit from legal services providers' technology systems, those with limited proficiency in English need access to: information in their native languages; content in multimedia formats; clear, simple links to non-English language resources; and effective searching, coaching and support.*

- Clear, simple links to appropriate non-English language resources.

- Availability of content in multimedia formats.

- Effective searching, coaching and support. (This is discussed in
  the next section.)

We should note that this challenge poses major difficulties, especially because of
the many different languages spoken by members of the client community and the
relatively absence (and cost) of content in languages other than English.

TIG projects have achieved noteworthy success in this area. Examples include:

- As noted above, *LASOC's* ICAN! project provides services in English,
  Spanish and Vietnamese. Services in other languages will be available in
  the future.

- *Pine Tree Legal Assistance's* (PTLA) partnership with a statewide
  Telemedicine service that seeks to increase access to legal assistance in

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[46] *Online Content for Low-Income and Underserved Americans*, p.9, pp.19-20; "Online Content for Low-
Income and Underserved Americans," p.9.

remote areas provides intake and assistance for hearing-impaired through the use of American Sign Language (ASL).

- *Potomac Legal Aid Society, Inc*., (PLAS) (Virginia) is collaborating with the Asian Pacific American Legal Resource Center (APALRC) to increase services to the underserved Asian American community in northern Virginia. APALRC interpreters will conduct client intake in their offices in languages including Korean, Mandarin, Tagalog, and Vietnamese. They then will use an ASP database program to transfer eligibility and case information over the Internet to PLAS for brief legal advice, and to Legal Services of Northern Virginia for extended representation. The use of ASP facilitated this partnership by reducing the costs APALRC incurs.

- *Northwest Justice Project* is using advanced telephone technologies to increase the number of people throughout Washington who receive self-help information and the direct assistance of a lawyer. Among other features, the system will provide 24-hour access to recorded or written legal information in English and Spanish.

- Virginia's statewide hotline, funded through a grant to the *Virginia Legal Aid Society*, provides recorded messages in English and Spanish.

D.   Encouraging and Supporting Clients' Effective Use of Available IT Resources

Even if state justice planners successfully address the challenges of availability, literacy and multiple language needs, members of the client community will not necessarily use the available information. As noted above, many members of disadvantaged communities may question the value and even distrust new technologies. Moreover, the access, educational, literacy, and cultural challenges they confront increase their need for support to effectively use these technologies. As Douglas Shuler of the Seattle Community Network observes, "the circumstances through which people get the information is as important as the medium."[47] The following issues may be most relevant to state justice community planners.[48]

> *Technology planners can increase clients' ability and confidence in using new technologies by providing: easier, more effective searching; multimedia content; online mentoring and training; and personal support, guidance and technical assistance.*

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[47] Quoted in *Online Content for Low-Income and Underserved Americans*, p.21.
[48] *Online Content for Low-Income and Underserved Americans*, p.9, pp.21; "Online Content for Low-Income and Underserved Americans," p.9.

- *Easier, more effective searching.* Even the most experienced web surfers can encounter difficulties conducting fruitful searches. The challenges confronting low-income and other disadvantaged people are much greater. Accordingly, search engines need to be designed with the needs and capabilities of these populations. They should be clear, quick and multimedia rather than text heavy. Additionally, effective online mentoring and training programs as well as personal support (see below) can mitigate this problem.

- *Coaching, mentoring and personal contact.* Research indicates that low-income users – just like many more privileged users – value personal coaching and mentoring to get comfortable with using the Internet. According to Noreen Lopez, director of Literacy Link, "a lot of our learners … need a lot of human contact."[49] (Again, more privileged individuals have similar needs.) In addition to effective online mentoring and training programs, they seek an environment in which they can receive several types of support. This can include assistance or suggestions about getting started and useful sites, literacy support and, if needed, help with English. In essence, "they want to be in a place where others in their community are doing the same thing and where they can count on coaching and support to build their confidence, answer their questions and guide them in new directions."[50]

To address this issue, TIG grantees and other legal services providers have undertaken several initiatives, including some that have already been profiled. These include:

- The video-based search engine used by *LASOC's* ICAN! project has proved to be very responsive to the needs of low-income people.

- The 3D Multimedia Manual being developed through a grant to *Land of Lincoln Legal Services* will provide detailed guidance on how to build a website provides content in multimedia formats, including text, audio, video and animation, thus enabling legal services programs to enhance their websites accessibility and responsiveness to client communities.

- As noted above, *Iowa Legal Aid* (in partnership with Iowa's Area Agencies on Aging) has placed in 85 multipurpose service centers in remote areas throughout the state. To insure low-income people can readily use and capitalize on these computers' potential benefits, LSCI is

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[49] Quoted in *Online Content for Low-Income and Underserved Americans*, p.21.
[50] *Online Content for Low-Income and Underserved Americans*, p.21; see also, Steve McLaine, "Minority and Low-Income User Satisfaction at Community Technology Centers," unpublished manuscript, Georgetown Public Policy Institute, April 2001.

> training volunteers to provide assistance and support to users at each center.

- *Northwest Justice Project* is collaborating with a broad range of partners to create and implement an Access to Justice Technology Bill of Rights to ensure that the utilization of technology in access to justice activities in Washington does not increase but rather reduces access barriers due to language, literacy, disability or culture.

E.   The Needs of Individuals with Disabilities

Legal services providers can implement a range of steps to enhance the usefulness of technology systems to disabled individuals.[51] Partnerships with disability groups and other organizations serving persons with disabilities can improve outreach and broaden the reach of technology systems among disabled people. Programs must strive to provide persons with hospitable environments in which to use these systems. Available assistive technologies can ensure that legal services programs' systems address the specific needs of people with different disabilities. These range from useful access features that are built into Macintosh and Windows operating systems to technologies tailored for those who are deaf/hard of hearing (e.g., TTY's), blind/visually impaired (e.g., screen enlargement programs, screen magnifiers, screen readers), or with spinal cord injuries (e.g., single switch systems).[52]

> *To enhance the value of technology systems to persons with disabilities, technology planners can forge partnerships to ensure these individuals can access technologies in hospitable environments and to incorporate a variety of assistance technologies into their tech systems.*

We expect that future TIG grants will identify and implement strategies designed to ensure that legal services' technology systems best serve persons with disabilities.

F.   Valuable Resources

A wide range of entities seek to address the challenges outlined above. These resources may provide valuable assistance to legal services programs and their state justice

> *Numerous entities provide information and resources that can help legal services technology planners overcome major access barriers.*

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[51] We assume that programs already comply with the Americans with Disability Act (ADA).

[52] Resources identified in the following section provide information and assistance that can help legal aid programs and their state justice partners address these barriers.

community partners as they seek to enhance the accessibility of their technology systems. A small subset of these entities, which also provide links to numerous other resources, includes

- *Grant managers* of the TIG projects profiled above can provide useful assistance in some areas.

- The *American Association of Retired Persons'* (AARP) Legal Advocacy and Legal Counsel for the Elderly departments have conducted research and implemented various initiatives to address the barriers undermining clients' ability to capitalize on new technologies. Wayne Moore, the director of these departments, has spearheaded AARP's work to comprehend the complexity of these barriers and forge strategies to overcome them. Contact: wmoore@aarp.org.

- Many *Protection and Advocacy* agencies can provide useful information about assistive technologies, can be valuable partners, and can offer additional strategic assistance to ensure technology systems best serve persons with disabilities.

- The *Digital Divide Network* (www.digitaldividenetwork.org) contains a wealth of information about the challenges low-income and other disadvantaged communities confront in accessing and using new technologies and strategies to meet those challenges.

- The Children's Partnership's *Community Contentbank* (www.contentbank.org) offers a range of resources that help developers of the Web and related media to address the needs of disadvantaged communities. It provides valuable information as well as links to numerous other resources that can assist LSC grantees and state justice communities address many of the challenges profiled in this Appendix. The Contentbank's assistance includes: gathering and disseminating "best content for underserved communities;" disseminating information about sites for limited-literacy users and culturally relevant sites; providing models to overcome language, literacy and related barriers; and offering guidance and hands-on technology tools that help web designers develop content (such as software utilities and a training curriculum).

- The *Community Technology Centers' Network* (www.ctnet.org.) offers resources to strengthen the capacities of community groups and agencies seeking to provide access to computers and related technologies to underserved populations. Its publications, other resources and many links – especially to groups addressing issues such as literacy and access for persons with disabilities – might prove very useful.

- The *Center for Applied Technology* (www.cast.org) seeks to expand seeks to expand educational opportunities for persons with individuals through research, product development, identification and support for innovative uses of technology, including learning models, approaches, and tools that are usable by a wide range of learners.

- The *America Connects Consortium* (www.americaconnects.net), funded by the U.S. Department of Education, provides information, training, technical assistance and resources to community technology centers across the country. Although the organization primarily serves grantees of the Department's Community Technology Center program, its resources, including information and guidance on evaluations, may prove very useful to legal services technology planners.

- *Bobby* (http://bobby.watchfire.com) is a comprehensive web accessibility software tool designed to help expose and repair barriers to accessibility and encourage compliance with existing accessibility guidelines. Bobby tests for compliance with government standards, including the U.S. Government's Section 508 and offers prioritized suggestions based on the Web Content Accessibility Guidelines provided by the World Wide Web Consortium's (W3C) Web Access Initiative. Bobby allows developers to test web pages and generate summary reports highlighting critical accessibility issues before posting content to live servers.[53]

- Departments in most *federal agencies* focus on improving access to technology for persons with disabilities and other disadvantaged groups as part of their work.[54]

- Many foundations support projects that address the technology needs of disadvantaged communities. They also can provide useful information and valuable links that can help these communities improve access to technology. These foundations include the Benton Foundation (www.benton.org), the Progressive Technology Project (www.progressivetech.org) and the Community Technology Foundation of California (www.zerodivide.org).

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[53] Watchfire purchased Bobby from the non-profit Center for Applied Technology in August 2002.

[54] This has been spurred by Sec. 508 of the Workforce Investment Act of 1998, which required federal agencies to provide individuals with disabilities who are federal employees or members of the public with "access to and use of the information and data" that is comparable to that of individuals who do not have disabilities. P.L. 105-220, 112 Stat 936.

III. CONCLUSION

TIG grantees and other legal services providers must identify and implement strategies to ensure that all members of their client communities can access and capitalize on the potential technologies offer to improve the quality and quantity of legal assistance to low income people. Absent sustained and thorough attention to this issue, LSC grantees and their state justice community partners will fail to get an appropriate return on their investments in technology systems. More, these systems will not reach and will be of limited use to the most disadvantaged members of the client community. Thus, LSC grantees would increase a "digital divide" within the communities they seek to serve.

Fortunately, TIG grantees and others serving disadvantaged populations have developed models and tools to overcome the barriers limiting clients' access and effective use of new technologies. Among the most significant challenges LSC grantees and their partners now confront is adapting, improving and implementing these models. Accordingly, the 2003 TIG Request for Proposals (RFP) prioritizes projects designed to overcome these and other access barriers.
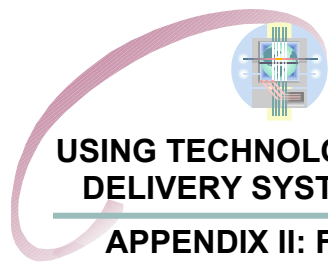
Congressional appropriations for TIG totaled $4.25 million in FY2000, increased to $7 million in FY2001 and then declined to $4.5 million in FY2002 (see figure 1).

Within the parameters set by Congressional intent, LSC's assessment of grantees' technology capacities guided LSC's TIG funding decisions. The assessment indicated that innovative grants in several categories were needed to strengthen most effectively grantees' pro se and community education capabilities. Of course, the quality of grant applications determined the ultimate distribution of funds among these areas.

Figure 1
Technology Initiative Grant Funding
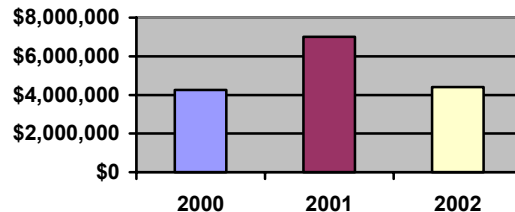
LSC funded TIG projects that enhanced grantees' capacities in several interrelated and mutually reinforcing program areas. TIG initiatives have developed, adapted and assessed various technological systems that enable state justice communities to cost-effectively increase the quality and quantity of services provided eligible clients. Together, these initiatives have identified systems with the potential to improve services at each of the major stages of low-income clients' engagement with the civil legal justice system: from initial contact and screening and pro se to brief advice, counsel and referral to full representation.
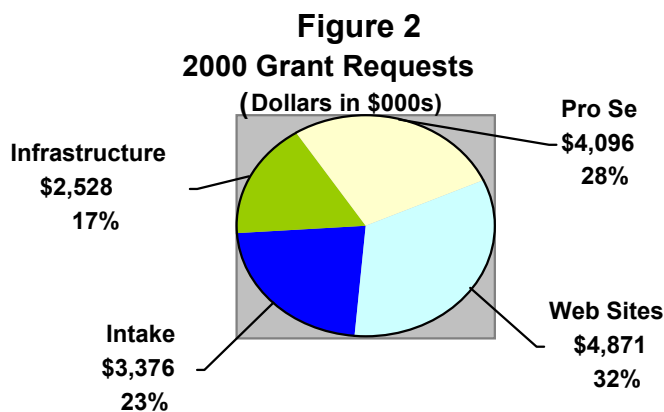
While nearly all individual grants hold promise to improve programs' efficiency and effectiveness in multiple areas, most concentrate on particular aspects of grantees' delivery systems. TIG-funded projects have focused primarily on one of the following types of grants:[55]

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[55] Given the multiple impacts of most TIG grants, placing some grants in one category rather than another inevitably require some degree of arbitrariness. Further, the categories used in this report differ from those listed in the RFPs published by LSC. For example, the 2002 RFP categories were "Innovation," "Integration," "Statewide Websites," "Statewide Technology," and "National Technology." Staff concluded that the RFP categories provided far less insight into the TIG program's focus and impact than do the categories based on projects' relationships to grantees' services delivery systems. The only RFP category retained here is "Statewide Websites." A major problem with the RFP categories is that they are less concrete than the alternate categories used here. The RFP categories are further limited because they are defined by characteristics – e.g., innovation, integration, statewide technology – should be fundamental features of *all* TIG projects. Similarly, hosts of TIG projects have national implications even though they are not funded through the "national" category.

- Developing and assessing *statewide websites*, which are the backbone of state justice communities' technological capacities and are essential to expand access to and the quality of the full range of client services.

- Piloting technologies that enhance clients' ability to represent themselves while simultaneously reducing the backlogs *pro se* can cause courts.

- Examining systems to improve programs' *intake and referral systems*.

- Identifying and providing the technological *infrastructures* integral to the successful implementation of innovative pro se and other client services systems.

- Developing and supporting *training and technical assistance* capacities essential to the success of TIG projects.

Figures 2 through 7 show the distribution among these different program categories of the amount of funding requests and grant awards in FY2000, FY 2001, and FY2002.[56] As the figures reveal, the proportions of grant requests and grant awards in the different categories varied over this period. The changing distributions reflected LSC's evolving views of how to best achieve the TIG program goals, staff's evaluations of the potential of the proposed projects in each category, applicants' judgments about their technology needs, and the quality of the applications submitted.
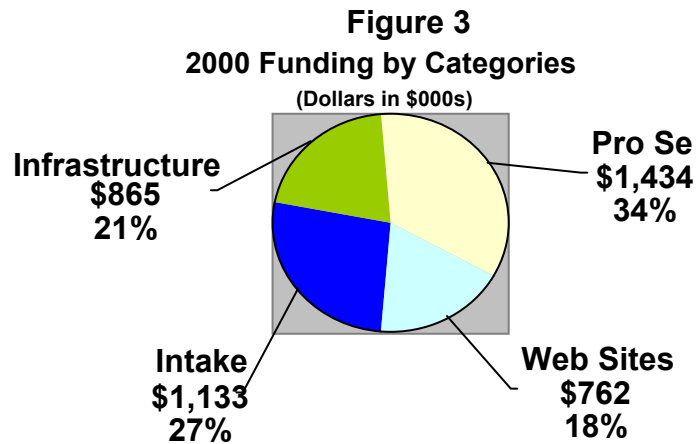
In **FY2000**, LSC received requests for TIG funding totaling some $14.9 million and awarded grants totaling $4.2 million. As shown in Figure 2, requests for website support comprised the largest share (32%) of total requests. Funding requests for pro se projects were nearly as great (28%), while progressively smaller amounts were requested for intake (23%) and infrastructure (17%) initiatives.

Figure 2
2000 Grant Requests
(Dollars in $000s)

Infrastructure $2,528 17%

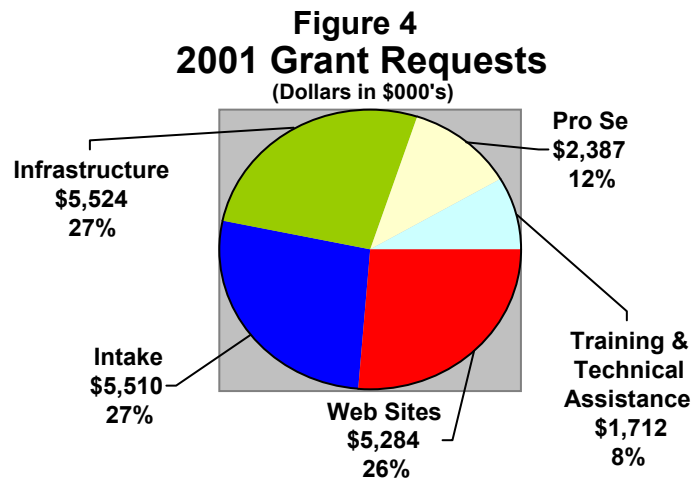Intake $3,376 23%

Pro Se $4,096 28%

Web Sites $4,871 32%

The distribution of FY2000 grant awards diverged significantly from the funding requests. As shown in Figure 3, only 18% of grants funds went for website projects, much less than the 32% share of requested funds. The proportion of funds awarded in each of the other categories was greater than the share of requested funds. Pro se projects received 34% of awarded funds (vs. 28% of requests) while the respective shares for intake and infrastructure projects were 27% and 21% (vs. 23% and 17% of requested funds).

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[56] Numbers in the text may not add to the totals due to rounding.

Relatively limited funds ($762,000) were allocated to website projects because cost-effective models that could be widely used were unavailable. Accordingly, initial funding supported the development of effective website templates. Significant funds were allocated to intake ($1,133,000) and infrastructure ($865,000) projects because TIG grant managers believed that innovations in these areas were prerequisites for significant increases in programs' abilities to capitalize on emerging technologies. And the assumption that significant investments could yield valuable returns in the form of innovative, effective and replicable pro se systems underlay the major allocation of funding to the pro se category ($1,434,000).

Figure 3
2000 Funding by Categories
(Dollars in $000s)

Infrastructure $865 21%

Pro Se $1,434 34%

Intake $1,133 27%

Web Sites $762 18%

In **FY2001**, TIG applicants requested some $20.4 million and LSC made grants totaling $6.9 million. As illustrated by Figure 4, intake, infrastructure and website requests each totaled somewhat more than one-quarter of the total, at 27%, 27%, and 26% respectively. Funding requests for pro se (12%) and training and technical assistance (T/TA) (8%) projects were far less.

Figure 4
2001 Grant Requests
(Dollars in $000's)

Infrastructure $5,524 27%

Pro Se $2,387 12%

Intake $5,510 27%

Web Sites $5,284 26%
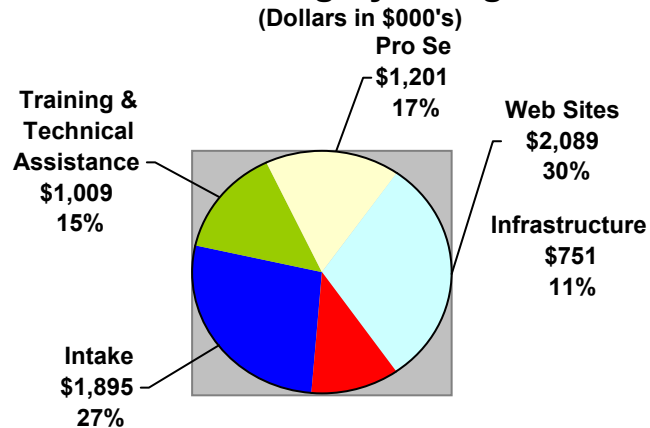
Training & Technical Assistance $1,712 8%

As in the previous year, the distribution of FY2001 grant awards varied significantly from the requests. As Figure 5 highlights, the 27% share going to intake projects was the same as requested, but the 11% portion going to infrastructure projects was less than half of the share of requests. Website and pro se projects' shares of the total, 30% and 17%, respectively, modestly exceeded their shares of requested funds (26% and 12%), while the 15% share going to T/TA initiatives was nearly double its portion of total requests.

Major resources ($2,089,000) were devoted to websites in 2001 to implement the website templates developed in FY2000. LSC staff believed that these templates would comprise a key component of LSC grantees' state delivery systems. Implementation required the development of content appropriate for each state's legal system. Large investments in intake projects ($1,895,000) were maintained to ensure that grantees continued to develop and implement systems to effectively and expeditiously screen

Figure 5
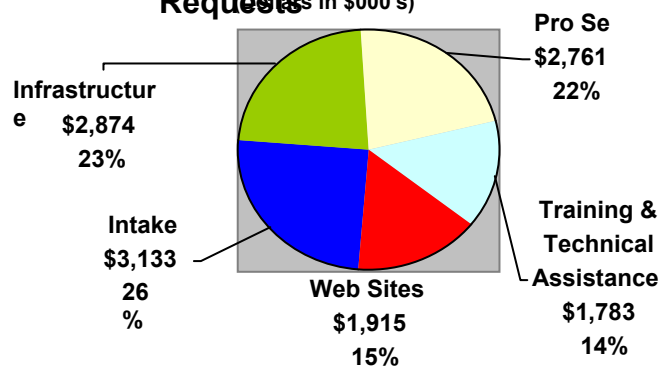**2001 Funding by Categories**
(Dollars in $000's)

and refer eligible clients to pro se and other types of assistance. Significant resources were allocated to T/TA initiatives ($1,009,000) based on LSC grant managers' recognition that the effectiveness of individual grants, and the program overall, would be enhanced if TIG project managers had access to expertise in selected programmatic areas. While the total resources devoted to pro se ($1,201,000) and infrastructure ($751,000) initiatives were proportionately less of the total awards than in FY2000, the much larger FY2001 appropriation ensured that the drops in absolute funding were much less.[57] As a result, grantees could continue to develop and strengthen capacities in these areas.

In **FY 2002**, TIG applicants requested $12.5 million in funding and LSC awarded grants totaling $4.5 million. Figure 6 profiles the distribution of requested funds among the different categories. Similar to 2001, requests for intake (26%) and infrastructure (23%) projects each comprised about one-quarter of the total. The proportionate shares of requests for pro se (22%) and technical assistance (14%) increased, while that for websites (15%) fell significantly from the prior year.

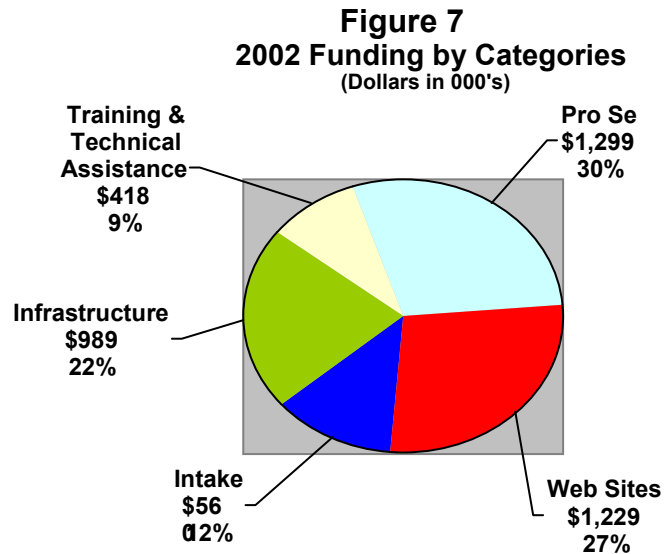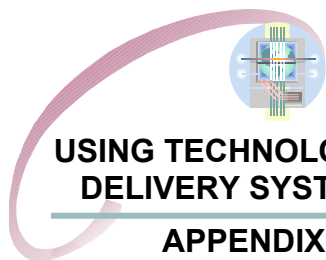**Figure 6**
2002 Grant Requests (Dollars in $000's)

As in FY2000 and FY2001, the distribution of FY2002 funding awards varied significantly from that of funding requests. Figure 7 reveals the allocation of grant awards among these categories. The share of infrastructure projects (22%) approximated

[57] Pro se spending fell $232,300 (16.2%) while infrastructure spending fell $114,000 (13.2%).

its share of requested funds, while the shares of pro se (30%) and websites (27%) were larger, the latter significantly. At the same time, proportionate funding awards for intake (12%) and T/TA (9%) projects were much less than their shares of requested funds.

The allocation of FY2002 grant funds reflected the lessons from the prior years as well as the major drop in funds from FY2001. The largest amount of funding ($1,299,000) went to pro se initiatives because the innovative projects in this area needed to be expanded and because grantees had gained the capacities and knowledge to develop and implement more effective strategies in this area. Websites also received major support ($1,229,000) because their integral role as the foundation of state justice technology systems – as well as the cost-effectiveness of website templates developed and implemented in prior years – had been clearly demonstrated. The significant investments in infrastructure ($989,000) were needed to ensure programs could capitalize on innovative systems. At the same time, support for intake ($560,000) fell because many programs had implemented the necessary systems, or because LSC staff believed that programs should fund many systems through other revenue sources. And support for technical assistance dropped significantly (to $418,000) because many projects had accomplished their goals.

Figure 7
2002 Funding by Categories
(Dollars in 000's)

- Training & Technical Assistance $418 9%
- Pro Se $1,299 30%
- Infrastructure $989 22%
- Intake $56 12%
- Web Sites $1,229 27%

This Appendix profiles the major elements of the TIG grants awarded in 2001.[58] The grant descriptions are organized into the following sections: websites; intake, advices and brief service; pro se; infrastructure; and technical assistance.

I. Websites

Statewide websites are the essential foundation of effective technological capacities for state justice communities. Websites provide among the most efficient mechanisms for providing clients and all other state justice community members – legal services programs, the courts, bar groups, other legal services organizations, and social services providers – with ready information about and access to the state legal system. They can ensure that the full range of client services – pro se, intake, advice and brief service, referrals, and full representation – is provided as effectively and efficiently as possible.

In 2001, LSC awarded 30 TIG grants for states to develop or enhance state websites. These awards complemented the 11 website grants made in 2000. In some states, existing websites could be adapted to incorporate the necessary capacities. In most states, however, new sites needed to be constructed.

The states that received 2001 TIG grants to develop websites are listed below. Web addresses are included for the TIG-funded sites now operational. The "under construction" designation refers to the TIG-funded site. In many states where the TIG-supported sites are not yet operational, other legal services websites exist.

State Websites Funded through 2001 TIG Grants

Alaska: http://www.alsc-law.org/

Arizona: http://www.lawhelp.org/az

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[58] This is a complete listing of 2001 TIG grants. Some of these were described in the main report. All 2000 TIG grants are summarized in Legal Services Corporation, *Technology Initiative Grants 2000*, Washington, DC. This is available on the LSC website at: http://www.lscopp.com/Techsite/Linkpages/TIG%202000%20Grant%20Descriptions.pdf.

California: Site under construction. Contact: Michael Pfeffer, California Indian Legal Services, Executive Director, (510) 835-0284, mikepfeffer@caindian.org, www.calindian.org.

Colorado: http://www.lawhelp.org/co
DNA-People's Legal Services. Site under construction. Contact: Eve Armour, 970-533-1652, earmour@dnalegalservices.org.

Florida: Site under construction. Contact: Kristine Knab, Legal Services of North Florida, Inc., 850-385-9007, knablsnf@hotmail.com

Georgia: http://www.legalaid-ga.org/

Hawai'i: http://www.legalaidhawaii.org/

Idaho: http://www.idaholegalaid.org/

Illinois: http://www.illinoislegalaid.org/

Indiana: http://www.indianajustice.org/

Iowa. Site under construction. Contact: Pat McClintock, Legal Services Corporation of Iowa, 515-243-2151, pmcclintock@iowalaw.org

Kentucky. Site under construction. Contact: Richard Cullison, Northern Kentucky Legal Aid Society, 859-431-8200, rcullison@nklas.org

Louisiana: Site under construction. Contact: Mark Moreau, New Orleans Legal Assistance Corporation, 504-529-1000, mamoreau@nolac.org

Michigan: www.lawhelp.org/mi

Mississippi: Site under construction. Contact: Catherine Farris, North Mississippi Rural Legal Services, 662-234-8731, cfarris@nmrls.com

Missouri: Site under construction. Contact: James Spenser, Legal Services of Southern Missouri, 417-881-1397, james@lsosm.org

Montana: http://www.montanalegalservices.com/

Nevada. Site under construction. Contact: Wayne Pressel, Nevada Legal Services, 702-386-0404, wpressel@nlslaw.net

New Hampshire: http://www.mv.com/ipusers/larc/

North Carolina: http://www.lsnc.org/

Oregon: http://www.lawhelp.org/or

Oklahoma: http://www.lawhelp.org/ok/

South Carolina. Site under construction. Contact: Teresa Cosby, The South Carolina Centers for Equal Justice, 864-679-3232, teresacosby@lsawc.net.

Tennessee: Site under construction. Contact: Ashley Wiltshire, Legal Aid Society of Middle Tennessee, 615-780-7123, awiltshire@lasmt.org

Texas: Site under construction. Contact: Jonathan Vickery, Legal Services of North Texas, (214) 748-1234, jonathanv@lsnt.org.

Washington: http://www.atjtechbillofrights.org/

Wisconsin: site under construction. Contact: Michael Maher, Legal Action of Wisconsin, Inc., 414-278-7777, mjm@legalaction.org.

Virginia: www.lawhelp.org/va

Virgin Islands: http://www.lawhelp.org/VI/

Other Website Grants

Indiana Legal Services is developing a statewide assisted pro se website that uses a Hot Docs document assembly system.[59] The website will provide access to ILS's case management system, the document assembly program and legal information for legal services staff, pro bono attorneys and pro se litigants. This project is the first stage in the development of a template that other state justice communities can adopt for their state websites. *Grant number 01008A*. Contact: Colleen Cotter, 317-631-9410, colleen.cotter@ilsi.net

- Through a grant to *Land of Lincoln Legal Services*, the Illinois LSC-funded programs are building the statewide infrastructure and new web tools to produce, use and distribute the 3D Multimedia Manual. The manual will contain detailed guidance on how to build a website provides content in multimedia formats, including text, audio, video and animation. The website will provide extensive, integrated educational, training and practice material for the pro se litigant, pro bono and consumer communities. The project will build on multimedia efforts in California and automated document production efforts in multiple states to unify the

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[59] "Hot docs" offers a valuable functional enhancement to statewide websites. This document assembly software guides users by posing a single question per page and then proceeding based upon users' response to the question. (Hot docs operates like the popular Turbo Tax software program.)

range of tools needed to avoid, prosecute or defend actions typically faced by low-income individuals. Based on the results of the current Illinois legal needs study, the first three content areas will be landlord-tenant, family law, and public benefits. *Grant number 01033*. Contact: Contact: Linda Zazove, 618-462-0036, lzazove@lollaf.org.

II.   Intake, Advice and Brief Service (including case management systems)

As part of the establishment of a statewide program on 1 January 2003, *Legal Services Corporation of Iowa* is developing a single case management and database system that integrates information from several different databases. *Grant number 01054*. Contact: Contact: Pat McClintock, Deputy Director of Program Administration, pmcclintock@iowalaw.org, (515) 243-2151, www.iowalegalaid.org. *Note*: effective 1 January 2003, LSCI became Iowa Legal Aid (ILA).

Appalachian Research and Defense Fund (Kentucky) is equipping its Richmond office to serve as one of four regional intake sites in Kentucky's statewide integrated Unified Client Access System (UCAS). The grant will enable the program to implement a new case management system and make the computer and telephone upgrades required for the new intake system. *Grant Number 01042* Contact: Larry York, Executive Director, 606-886-3876, ardf@setel.com.

Legal Aid Society of Middle Tennessee is building the networking and case management capacities necessary to ensure efficient and effective services after its merger with two other programs. *Grant number 01023*. Contact: Ashley Wiltshire, Legal Aid Society of Middle Tennessee, 615-780-7123, awiltshire@lasmt.org

Northwest Justice Project seeks to increase number of people throughout Washington who receive self-help information and the direct assistance of a lawyer through the use of advanced telephone technologies. The system will provide remote access to a call center and 24-hour access to recorded or written legal information in English and Spanish. *Grant number 01046*. Contact: Susan Encherman, (206) 464-1519, ext.250, suee@nwjustice.org, www.nwjustice.org.

Building on a FY2000 TIG grant, *Legal Aid Society of Hawaii* (LASH) is spearheading a partnership of nine organizations to develop an integrated intake and referral system linking providers of legal services, social services and economic development assistance throughout the state. By linking partner organizations, LASH's website is expanding and streamlining initial intake and referral while facilitating the exchange of information about consenting clients among partner organizations and protecting sensitive information to respect

clients' confidentiality rights. The website contains an extensive collection of interactive training materials and client tutorials (in audio, video, and manual formats) in legal, economic development, and social service matters. Videoconferencing services will increase clients' access to training and community education, provide neighborhood-based individual counseling for clients, and increase coordination and collaboration among partners. *Grant number 01049*. Contact: Bill Yarian, Technology Coordinator, (808) 536-4302, biyaria@lashaw.org, www.legalaidhawaii.org.

A *Pine Tree Legal Assistance* (PTLA) project provides access to populations sparsely dispersed in expansive, remote areas. The program forged a partnership with a statewide Telemedicine service to provide intake and assistance, American Sign Language (ASL) interpretation, and limited pro bono services via teleconferencing at three legal services locations. This project holds great promise for markedly expanding and improving intake and brief services within Maine and elsewhere. For example, this approach can be expanded to additional legal services sites and some 100 existing Telemedicine sites throughout Maine. Similar systems exist in other states that offer opportunities for valuable partnerships and piggybacking of services. *Grant number 01019*. Contact: Hugh Calkins, hcalkins@ptla.org, (207) 774-4753, x209, www.ptla.org.

Virginia Legal Aid Society (VLAS) and *Center for Arkansas Legal Services* (CALS) implemented pilot projects to address a challenge common to many states with multiple programs: establishing a centralized intake system with a single toll free number that clients throughout the state can call, thereby providing them with a seamless transition between intake and other services. The VLAS and CALS projects are evaluating centralized intake systems that do not rely on a central intake staff. Instead, calls to the statewide hotline are automatically routed to the program that serves the caller's geographic area. Additionally, participating programs are assessing a uniform case management system; this further enhances the project's promise. The system uses ASP software.[60] Initial analyses indicate these pilots may be very effective. *Grant numbers 01001 and 01016*. Contacts: Kelly Shuptrine, VLAS Technology Contact, kelly@vlas.org; L. Richardson, CALS Technology Coordinator, lrichardson@arlegalaid.org.

III. PRO SE

Legal Aid Society of Orange County is integrating the Interactive Community Assistance Network (I-CAN) in five additional California project areas. ICAN! provides clients with ready access to pro se resources on a variety of legal matters

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[60] ASP systems use software provided through an "Application Service Provider." A user does not need to have the software on her/his desktop. Instead, they access it remotely via the Internet. This can markedly reduce programs' hardware and software capital investments.

through a kiosk and web-based system. The system features videos of speakers
(in English, Spanish and Vietnamese, so far) guiding users through each step of
the process. By touching options provided by a "video guide" on a computer
screen, users can obtain properly formatted pleadings, tour the courts and learn
about pertinent laws and steps needed to address their particular legal matter. I-
CAN! provides information and formatted legal documents for civil matters such
as domestic violence restraining orders, small claims matters, unlawful detainer
answers, and complaints and answers in paternity actions. Reading and writing
skills are not needed to complete the process. Contact: Contact: Bob Cohen,
Executive Director, LASOC, (714) 571-5232, ican@legal-aid.com, www.legal-
aid.com/I-CAN/ican.html.

A *Montana Legal Services Association* pilot project is exploring the efficacy of
using video-conferencing to assist pro se litigants in courts in remote areas of the
state. This cooperative project with the University of Montana Law School, the
Montana Supreme Court, and a state district court is assessing the impact on
clients and the courts of providing brief advice and counsel via video-
conferencing to clients who have had the opportunity to review pro se materials at
the court and/or via the state website. This assistance will include an assessment
of the merits of the client's case as well as advice on the issues clients should
stress and the line of argument they should follow. The initiative holds great
promise, especially since MLSA has already demonstrated the efficacy of
providing direct representation via video-conferencing. *Grant number 01014*.
Contact: Alison Paul, Technology Coordinator, (406) 442-9830,
alison@copper.net, www.montanalegalservices.com

Micronesian Legal Services Corporation will establish and maintain a total of
nine pro se computer workstations that will be located in each of the program's
offices across Micronesia. These offices are in the Republic of the Marshall
Islands, the Federated States of Micronesia, the Republic of Palau, and the
Commonwealth of the Northern Mariana Islands. Each workstation will be
equipped with two desktop and two laptop computers, a set of Am Jur 2nds (a
legal research tool) and a generator. The workstations will allow Micronesians to
research their own cases and conduct pro se representation with support from
MLSC legal staff. *Grant number 01003*. Contact: Ronald Kirschenheiter,
Executive Director, 670-234-6471, mlscco@saipan.netpci.com.

Legal Services of Eastern Virginia is developing a set of pro se curriculum and
training materials. These will be designed for the use of representatives of
community organizations, LSC and private bar attorneys, judges and court staff to
conduct state or local workshops on collaborative pro se assistance programs.
Grant number 01022. Contact: Denise Bland, 757-827-0350, denise@plac.org.

A *Utah Legal Services, Inc.* (ULS) project enables volunteer lawyers to provide
unbundled services to pro se litigants on divorce matters. The project uses web-

based systems to employ volunteer attorneys to provide pro se clients with assistance in developing and filing divorce documents. Clients obtain legal documents and filing information from ULS's regular website. After clients fill out the pleading forms, the documents are transferred to a specialized website. Volunteer attorneys in rotation are notified via email that pleadings are available for review. Then, on the website, they check for conflicts of interest and review and suggest necessary changes to the documents prepared by the clients. After receiving the attorneys' comments, clients can make necessary changes and then download the pleadings for printing and filing with the court. Clients and the volunteer attorneys can communicate via the website or by other means. The project's success indicates that this approach for using pro bono attorneys to provide unbundled legal services can be adapted to a wide range of substantive law areas. *Grant number 01034*. Contact: Ken Bresin, Technology Contact, Utah Legal Services, kbresin@ulsslc.andjusticeforall.org, (801) 328-8891, ext.303, www.andjusticeforall.org/uls.

IV. Infrastructure

Lone Star Legal Aid working with three large regional programs in Texas to implement a statewide technology project to address four identified critical technology needs for the new service area. *Grant number 01018*. Contact: Paul Furrh, 936-560-1455, paulfurrh@netdot.com.

A grant to *Legal Services of North Texas* supports the creation of a single communications system for the new "Northwest Texas" LSC-funded service area. The system will integrate intra-program and inter-program communications and increase public access points and core data processing capacities. The system will be designed to compile and analyze data on LSC and non-LSC-funded activities, increasing clients' access to services while ensuring confidentiality. It also will generate data reports to meet a broad range of reporting requirements, facilitate data mapping, expand a video interview system into new counties, and connect all "NWTX" legal staff. *Grant number*: 01057. Contact: Jonathan Vickery, Legal Services of North Texas, (214) 748-1234, jonathanv@lsnt.org.

To implement the statewide technology plan, *Legal Services of Eastern Missouri* coordinated a statewide technology integration and outreach partnership among the LSC-funded programs, Missouri Bar, the State Support Center, client groups and social service providers. The dedicated staff time and expertise of a technology specialist proved critical to the project's success. Without it, the program could not have successfully coordinated the work of relations among the different partners. It also could not have identified the appropriate system components. An integrated data network and web sites will expand clients' access to pro se and pro bono information and more in-depth services. Partnering with client groups and service providers to develop and evaluate the site and its

contents will increase the utility and of this resource. *Grant number 01088*.
Contact: Jay Wood, Missouri Legal Services Support Center, jwood@mlssc.org,
(573) 638-3430

Nebraska Legal Services needed the technological infrastructure to ensure that all
the offices of the new statewide program were effectively integrated with each
other and the rest of the state justice system. The program found that it could
accomplish this most cost-effectively by outsourcing (contracting with an outside
provider) the development and maintenance of the entire technological
infrastructure. The new capacities will enable NLS to expand and coordinate two
websites, implement a simplified intake system, provide clients with additional
access points to services, facilitate one-state access to all civil legal services
providers, provide more prompt service, and expand court accepted pro se and
pro bono advocacy. To maximize cost-effectiveness, NLS negotiated separate
contracts with a private vendor to obtain equipment and ensure ongoing system
maintenance. *Grant number 01015*. Contact: Tim Kelso, Technical Contact,
TKelso@nebls.com, (402) 348-1069

North Mississippi Rural Legal Services piloted a centralized case management
system accessible via the Internet. Because of the pilot's success, the system is
now being implemented throughout the state, with all LSC funded programs
sharing the same hardware/software infrastructure. Other states also may find that
this approach can be adapted to meet their particular case management needs.
The project exemplifies LSC's strategy of piloting an approach in a particular
program or area to identify its strengths and weaknesses and determine if it can be
implemented cost effectively on a wider scale. (The pilot was supported with
2001 TIG funding; statewide implementation is supported through 2002 TIG
funding.) *Grant number 01069*. Contact: Ben Cole, Executive Director,
bcole@nmrls.com, or Clarence Franklin, Technical Contact, chfrank@nmrls.com,
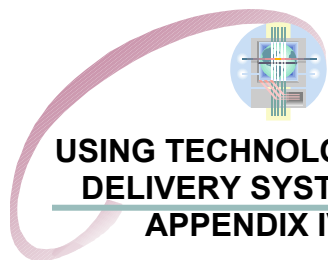(662) 234-8731.

V.   Technical Assistance

Through a TIG sub-grant to the *Legal Aid Society of Greater Cincinnati*, the
Management and Information Exchange (MIE) *Technology Evaluation Project
(TEP)* is developing evaluation standards, evaluation tools and evaluation-related
resources for use by TIG recipients and other LSC grantees. TEP will also
provide TIG grantees with the technical assistance necessary to effectively use
these resources. The evaluation tools and resources will enable state justice
communities to evaluate the operational effectiveness of their technological
systems as well as the outcomes these new systems produce for clients. The
evaluation systems will generate both quantitative and qualitative analytical data.
Initial products should be available for TIG grantees by early 2003. *Grant number
01004*. Contact: John Tull, (303) 258-9227, jatassoc@earthlink.net

A grant to *Legal Services of South Central Michigan* (LSSCM) supports LStech.org, a web portal (website offering a wide array of resources) that provides specially tailored information and services on technology and legal services for poverty lawyers. A partnership of LSSCM, the University of Michigan Law School, NLADA, and the National Technology Assistance Project (see below), LStech seeks to provide comprehensive information on all aspects of technology and legal services as well as unique web services, such as on-line work groups, a tech projects directory and the LStech.org news service. *Grant number 01020*. Contact: Steve Gray, LStech Director, (734) 998-6100 ext.25, grange@umich.edu, www.lstech.org.

A grant to *Legal Aid Society of Orange County* (LASOC) supports the National Technology Assistance Project (NTAP), which provides guidance and technical assistance to TIG grantees. NTAP also provides content and editorial assistance for LStech, provides technical assistance to TIG grantees in their development and implementation of new technological systems, helps plan and organize LSC's annual TIG Conferences, and designs and organizes TIG-related sessions at other equal justice community events. *Grant number 01060*. Contact: Gabrielle Hammond, NTAP Project Director, (310) 319-2084, ghammod@verizon.net.

A grant to the *Northwest Justice Project* funds "circuit rider" staff to provide technical assistance and capacity building support to TIG grantees using the ProBono.Net Statewide Website Template. The day-to-day support staff provide enables TIG grantees to capitalize fully on the template's potential for improving program operations and services to eligible clients. The circuit riders also act as a critical communication link between the states, web designers, and the programmers of the ProBono.Net template, ensuring that each newly developed version of the Template most effectively meets the needs of LSC grantees and the community. *Grant number 01044*. Contact: Susan Encherman, (206) 464-1519, ext.250, suee@nwjustice.org, www.nwjustice.org.

Gulf Coast Legal Foundation created LegalMeetings, an on-line conference center that enables legal services staff to participate in on-line training events, meetings, tutorials and presentations. By enabling legal services personnel from throughout the country to conduct and participate in on-line events, LegalMeetings significantly increases communication and information sharing among LSC grantees at markedly reduced cost, thereby improving the quality of LSC grantees' administration and advocacy. *Grant number 01091*. Contact: Joyce Alexander, LegalMeetings Coordinator, Gulf Coast Legal Foundation, (713) 652-2709, jalexander@legalmeetings.org, www.legalmeetings.org.

**APPENDIX IV: Major Reasons Proposed Projects
Were Not Funded**

Unsuccessful applicants for TIG grants did not receive funding for one or more of several different reasons. The factors that most often accounted for this lack of success included the following:

- **Competition for limited resources.** Requests for TIG funding are far greater than the funds available. In 2000, TIG applicants requested $14.9 million when available funds totaled $4.2 million. In 2001, applicants requested $20.4 million when $6.9 million was available. And in 2002, $12.5 million was requested when only $4.5 million was available. In this situation, many proposals, even some with significant merit, could not be successful. LSC funded the projects that the review committees deemed the strongest and that staff concluded would be most likely to achieve TIG's objectives.

- **Failure to specify how the proposed project would improve services to clients**. LSC received many unsuccessful applications that proposed to use available technologies in creative and interesting ways. However, these proposals did not answer the most important question: how will the proposed project improve the quality and /or quantity of services provided to eligible clients?

- **Lack of state coordination**. Some applicants failed to address another basic criterion: effectively strengthening state delivery systems. Some proposed projects focused solely on the needs of individual programs. Others revealed the absence of essential coordination and cooperation within states. For example, LSC received applications from three different programs within a single state. Each of these applicants asserted that their project was part of a statewide initiative supported by all the LSC grantees in the state, yet none mentioned any of the other proposed projects.

- **Unwarranted requests for staff support.** Many unsuccessful applicants sought TIG funding to support on-going staffing associated with existing systems. But TIG does not support basic staffing. Instead, TIG grants fund staffing needed to develop and implement innovative technology initiatives and/or new systems that markedly expand the quality and quality of services provided clients. Program funding for staffing is limited to short-term support required to implement the new initiatives. Once the new system is implemented, grantees are expected to finance necessary ongoing activities with funds from their basic field grant or other revenue sources.

- **Duplication of other initiatives.** Many unsuccessful applications, even some with considerable merit, were not funded because they were for projects that were the same as or quite similar to projects already being funded through TIG.

- **Inadequate planning and preparation or unrealistic goals**. Some unsuccessful applications failed to demonstrate requisite knowledge or preparation of the proposed projects. This shortcoming took various forms: insufficient knowledge of the costs and capacities of the necessary hardware or software; lack of awareness of the needed staffing expertise; inadequate arrangements with important partnerships; or unrealistic budgeting. Some applicants also sought goals that were unrealistic given the proposed project's activities and staffing.

- **Absence of innovation**. Numerous applicants did not address the TIG program's fundamental goal: developing or implementing innovations and improvements in their electronic technology systems with the potential to markedly expand the quality and quantity of service to clients. Instead, they sought funding to meet basic technology needs that should be funded through the basic field grant or other sources.